

103D CONGRESS
1ST SESSION

S. 3

Entitled the “Congressional Spending Limit and Election Reform Act of 1993”.

IN THE SENATE OF THE UNITED STATES

JANUARY 21 (legislative day, JANUARY 5), 1993

Mr. BOREN (for himself, Mr. MITCHELL, Mr. FORD, Mr. BYRD, Mr. BRYAN, Mr. DECONCINI, Mr. LAUTENBERG, Mr. REID, Ms. MOSELEY-BRAUN, Mr. HARKIN, Mr. PELL, Mr. LEVIN, Mr. RIEGLE, and Mr. LEAHY) introduced the following bill; which was read twice and referred to the Committee on Rules and Administration

A BILL

Entitled the “Congressional Spending Limit and Election Reform Act of 1993”.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; AMENDMENT OF CAMPAIGN ACT;**

4 **TABLE OF CONTENTS.**

5 (a) SHORT TITLE.—This Act may be cited as the
6 “Congressional Campaign Spending Limit and Election
7 Reform Act of 1993”.

1 (b) AMENDMENT OF FECA.—When used in this Act,
 2 the term “FECA” means the Federal Election Campaign
 3 Act of 1971 (2 U.S.C. 431 et seq.).

4 (c) TABLE OF CONTENTS.—

Sec. 1. Short title; amendment of Campaign Act; table of contents.

TITLE I—CONTROL OF CONGRESSIONAL CAMPAIGN SPENDING

Subtitle A—Senate Election Campaign Spending Limits and Benefits

Sec. 101. Senate spending limits and benefits.

Sec. 102. Restrictions on activities of political action and candidate committees
in Federal elections.

Sec. 103. Reporting requirements.

Sec. 104. Disclosure by noneligible candidates.

Subtitle B—Expenditure Limitations, Contribution Limitations, and Matching Funds for Eligible House of Representatives Candidates

Sec. 121. Provisions applicable to eligible House of Representatives candidates.

Sec. 122. Limitations on political committee and large donor contributions that
may be accepted by House of Representatives candidates.

Sec. 123. Excess funds of incumbents who are candidates for the House of
Representatives.

Subtitle C—General Provisions

Sec. 131. Broadcast rates and preemption.

Sec. 132. Extension of reduced third-class mailing rates to eligible House of
Representatives and Senate candidates.

Sec. 133. Reporting requirements for certain independent expenditures.

Sec. 134. Campaign advertising amendments.

Sec. 135. Definitions.

Sec. 136. Provisions relating to franked mass mailings.

TITLE II—INDEPENDENT EXPENDITURES

Sec. 201. Clarification of definitions relating to independent expenditures.

TITLE III—EXPENDITURES

Subtitle A—Personal Loans; Credit

Sec. 301. Personal contributions and loans.

Sec. 302. Extensions of credit.

Subtitle B—Provisions Relating to Soft Money of Political Parties

Sec. 311. Contributions to political party committees.

Sec. 312. Provisions relating to national, State, and local party committees.

Sec. 313. Restrictions on fundraising by candidates and officeholders.

Sec. 314. Reporting requirements.

TITLE IV—CONTRIBUTIONS

- Sec. 401. Contributions through intermediaries and conduits.
- Sec. 402. Contributions by dependents not of voting age.
- Sec. 403. Contributions to candidates from State and local committees of political parties to be aggregated.
- Sec. 404. Limited exclusion of advances by campaign workers from the definition of the term “contribution”.

TITLE V—REPORTING REQUIREMENTS

- Sec. 501. Change in certain reporting from a calendar year basis to an election cycle basis.
- Sec. 502. Personal and consulting services.
- Sec. 503. Reduction in threshold for reporting of certain information by persons other than political committees.
- Sec. 504. Computerized indices of contributions.

TITLE VI—FEDERAL ELECTION COMMISSION

- Sec. 601. Use of candidates’ names.
- Sec. 602. Reporting requirements.
- Sec. 603. Provisions relating to the general counsel of the Commission.
- Sec. 604. Enforcement.
- Sec. 605. Penalties.
- Sec. 606. Random audits.
- Sec. 607. Prohibition of false representation to solicit contributions.
- Sec. 608. Regulations relating to use of non-Federal money.

TITLE VII—BALLOT INITIATIVE COMMITTEES

- Sec. 701. Definitions relating to ballot initiatives.
- Sec. 702. Amendment to definition of contribution.
- Sec. 703. Amendment to definition of expenditure.
- Sec. 704. Organization of ballot initiative committees.
- Sec. 705. Ballot initiative committee reporting requirements.
- Sec. 706. Enforcement amendment.
- Sec. 707. Prohibition of contributions in the name of another.
- Sec. 708. Limitation on contribution of currency.

TITLE VIII—MISCELLANEOUS

- Sec. 801. Prohibition of leadership committees.
- Sec. 802. Polling data contributed to candidates.
- Sec. 803. Debates by general election candidates who receive amounts from the Presidential Election Campaign Fund.
- Sec. 804. Prohibition of certain election-related activities of foreign nationals.
- Sec. 805. Amendment to FECA section 316.
- Sec. 806. Telephone voting by persons with disabilities.
- Sec. 807. Prohibition of use of Government aircraft in connection with elections for Federal office.
- Sec. 808. Sense of the Congress.

TITLE IX—EFFECTIVE DATES; AUTHORIZATIONS

- Sec. 901. Effective date.
- Sec. 902. Delay of effective dates until funding legislation enacted.
- Sec. 903. Budget neutrality.
- Sec. 904. Severability.

Sec. 905. Expedited review of constitutional issues.

1 **TITLE I—CONTROL OF CON-**
 2 **GRESSIONAL CAMPAIGN**
 3 **SPENDING**

4 **Subtitle A—Senate Election Cam-**
 5 **paign Spending Limits and Ben-**
 6 **efits**

7 **SEC. 101. SENATE SPENDING LIMITS AND BENEFITS.**

8 (a) IN GENERAL.—FECA is amended by adding at
 9 the end thereof the following new title:

10 **“TITLE V—SPENDING LIMITS**
 11 **AND BENEFITS FOR SENATE**
 12 **ELECTION CAMPAIGNS**

13 **“SEC. 501. CANDIDATES ELIGIBLE TO RECEIVE BENEFITS.**

14 “(a) IN GENERAL.—For purposes of this title, a can-
 15 didate is an eligible Senate candidate if the candidate—

16 “(1) meets the primary and general election fil-
 17 ing requirements of subsections (b) and (c);

18 “(2) meets the primary and runoff election ex-
 19 penditure limits of subsection (d); and

20 “(3) meets the threshold contribution require-
 21 ments of subsection (e).

22 “(b) PRIMARY FILING REQUIREMENTS.—(1) The re-
 23 quirements of this subsection are met if the candidate files
 24 with the Secretary of the Senate a declaration that—

1 “(A) the candidate and the candidate’s author-
2 ized committees—

3 “(i) will meet the primary and runoff elec-
4 tion expenditure limits of subsection (d); and

5 “(ii) will only accept contributions for the
6 primary and runoff elections which do not ex-
7 ceed such limits;

8 “(B) the candidate and the candidate’s author-
9 ized committees will meet the general election ex-
10 penditure limit under section 502(b); and

11 “(C) the candidate and the candidate’s author-
12 ized committees will meet the limitation on expendi-
13 tures from personal funds under section 502(a).

14 “(2) The declaration under paragraph (1) shall be
15 filed not later than the date the candidate files as a can-
16 didate for the primary election.

17 “(c) GENERAL ELECTION FILING REQUIREMENTS.—

18 (1) The requirements of this subsection are met if the can-
19 didate files a certification with the Secretary of the Senate
20 under penalty of perjury that—

21 “(A) the candidate and the candidate’s author-
22 ized committees—

23 “(i) met the primary and runoff election
24 expenditure limits under subsection (d); and

1 “(ii) did not accept contributions for the
2 primary or runoff election in excess of the pri-
3 mary or runoff expenditure limit under sub-
4 section (d), whichever is applicable, reduced by
5 any amounts transferred to this election cycle
6 from a preceding election cycle;

7 “(B) the candidate met the threshold contribu-
8 tion requirement under subsection (e), and that only
9 allowable contributions were taken into account in
10 meeting such requirement;

11 “(C) at least one other candidate has qualified
12 for the same general election ballot under the law of
13 the State involved;

14 “(D) such candidate and the authorized com-
15 mittees of such candidate—

16 “(i) except as otherwise provided by this
17 title, will not make expenditures which exceed
18 the general election expenditure limit under sec-
19 tion 502(b);

20 “(ii) will not accept any contributions in
21 violation of section 315;

22 “(iii) except as otherwise provided by this
23 title, will not accept any contribution for the
24 general election involved to the extent that such
25 contribution would cause the aggregate amount

1 of such contributions to exceed the sum of the
2 amount of the general election expenditure limit
3 under section 502(b) and the amounts de-
4 scribed in subsections (c) and (d) of section
5 502, reduced by—

6 “(I) the amount of voter communica-
7 tion vouchers issued to the candidate; and

8 “(II) any amounts transferred to this
9 election cycle from a previous election cycle
10 and not taken into account under subpara-
11 graph (A)(ii);

12 “(iv) will deposit all payments received
13 under this title in an account insured by the
14 Federal Deposit Insurance Corporation from
15 which funds may be withdrawn by check or
16 similar means of payment to third parties;

17 “(v) will furnish campaign records, evi-
18 dence of contributions, and other appropriate
19 information to the Commission; and

20 “(vi) will cooperate in the case of any audit
21 and examination by the Commission under sec-
22 tion 506; and

23 “(E) the candidate intends to make use of the
24 benefits provided under section 503.

1 “(2) The declaration under paragraph (1) shall be
2 filed not later than 7 days after the earlier of—

3 “(A) the date the candidate qualifies for the
4 general election ballot under State law; or

5 “(B) if, under State law, a primary or runoff
6 election to qualify for the general election ballot oc-
7 curs after September 1, the date the candidate wins
8 the primary or runoff election.

9 “(d) PRIMARY AND RUNOFF EXPENDITURE LIM-
10 ITS.—(1) The requirements of this subsection are met if:

11 “(A) The candidate or the candidate’s author-
12 ized committees did not make expenditures for the
13 primary election in excess of the lesser of—

14 “(i) 67 percent of the general election ex-
15 penditure limit under section 502(b); or

16 “(ii) \$2,750,000.

17 “(B) The candidate and the candidate’s author-
18 ized committees did not make expenditures for any
19 runoff election in excess of 20 percent of the general
20 election expenditure limit under section 502(b).

21 “(2) The limitations under subparagraphs (A) and
22 (B) of paragraph (1) with respect to any candidate shall
23 be increased by the aggregate amount of independent ex-
24 penditures in opposition to, or on behalf of any opponent
25 of, such candidate during the primary or runoff election

1 period, whichever is applicable, which are required to be
2 reported to the Secretary of the Senate with respect to
3 such period under section 304(c).

4 “(3)(A) If the contributions received by the candidate
5 or the candidate’s authorized committees for the primary
6 election or runoff election exceed the expenditures for ei-
7 ther such election, such excess contributions shall be treat-
8 ed as contributions for the general election and expendi-
9 tures for the general election may be made from such ex-
10 cess contributions.

11 “(B) Subparagraph (A) shall not apply to the extent
12 that such treatment of excess contributions—

13 “(i) would result in the violation of any limita-
14 tion under section 315; or

15 “(ii) would cause the aggregate contributions
16 received for the general election to exceed the limits
17 under subsection (c)(1)(D)(iii).

18 “(e) THRESHOLD CONTRIBUTION REQUIREMENTS.—

19 (1) The requirements of this subsection are met if the can-
20 didate and the candidate’s authorized committees have re-
21 ceived allowable contributions during the applicable period
22 in an amount at least equal to the lesser of—

23 “(A) 10 percent of the general election expendi-
24 ture limit under section 502(b); or

25 “(B) \$250,000.

1 “(2) For purposes of this section and section
2 503(b)—

3 “(A) The term ‘allowable contributions’ means
4 contributions which are made as gifts of money by
5 an individual pursuant to a written instrument iden-
6 tifying such individual as the contributor.

7 “(B) The term ‘allowable contributions’ shall
8 not include—

9 “(i) contributions made directly or indi-
10 rectly through an intermediary or conduit which
11 are treated as made by such intermediary or
12 conduit under section 315(a)(8)(B);

13 “(ii) contributions from any individual dur-
14 ing the applicable period to the extent such con-
15 tributions exceed \$250; or

16 “(iii) contributions from individuals resid-
17 ing outside the candidate’s State to the extent
18 such contributions exceed 50 percent of the ag-
19 gregate allowable contributions (without regard
20 to this clause) received by the candidate during
21 the applicable period.

22 Clauses (ii) and (iii) shall not apply for purposes of
23 section 503(b).

24 “(3) For purposes of this subsection and section
25 503(b), the term ‘applicable period’ means—

1 “(A) the period beginning on January 1 of the
2 calendar year preceding the calendar year of the
3 general election involved and ending on—

4 “(i) the date on which the certification
5 under subsection (c) is filed by the candidate;
6 or

7 “(ii) for purposes of section 503(b), the
8 date of such general election; or

9 “(B) in the case of a special election for the of-
10 fice of United States Senator, the period beginning
11 on the date the vacancy in such office occurs and
12 ending on the date of the general election involved.

13 “(f) INDEXING.—The \$2,750,000 amount under sub-
14 section (d)(1) shall be increased as of the beginning of
15 each calendar year based on the increase in the price index
16 determined under section 315(c), except that, for purposes
17 of subsection (d)(1), the base period shall be calendar year
18 1992.

19 **“SEC. 502. LIMITATIONS ON EXPENDITURES.**

20 “(a) LIMITATION ON USE OF PERSONAL FUNDS.—

21 (1) The aggregate amount of expenditures which may be
22 made during an election cycle by an eligible Senate can-
23 didate or such candidate’s authorized committees from the
24 sources described in paragraph (2) shall not exceed the
25 lesser of—

1 “(A) 10 percent of the general election expendi-
2 ture limit under subsection (b); or

3 “(B) \$250,000.

4 “(2) A source is described in this paragraph if it is—

5 “(A) personal funds of the candidate and mem-
6 bers of the candidate’s immediate family; or

7 “(B) personal debt incurred by the candidate
8 and members of the candidate’s immediate family.

9 “(b) GENERAL ELECTION EXPENDITURE LIMIT.—

10 (1) Except as otherwise provided in this title, the aggre-
11 gate amount of expenditures for a general election by an
12 eligible Senate candidate and the candidate’s authorized
13 committees shall not exceed the lesser of—

14 “(A) \$5,500,000; or

15 “(B) the greater of—

16 “(i) \$950,000; or

17 “(ii) \$400,000; plus

18 “(I) 30 cents multiplied by the voting
19 age population not in excess of 4,000,000;
20 and

21 “(II) 25 cents multiplied by the voting
22 age population in excess of 4,000,000.

23 “(2) In the case of an eligible Senate candidate in
24 a State which has no more than 1 transmitter for a com-
25 mercial Very High Frequency (VHF) television station li-

1 censed to operate in that State, paragraph (1)(B)(ii) shall
 2 be applied by substituting—

3 “(A) ‘80 cents’ for ‘30 cents’ in subclause (I);
 4 and

5 “(B) ‘70 cents’ for ‘25 cents’ in subclause (II).

6 “(3) The amount otherwise determined under para-
 7 graph (1) for any calendar year shall be increased by the
 8 same percentage as the percentage increase for such cal-
 9 endar year under section 501(f) (relating to indexing).

10 “(c) LEGAL AND ACCOUNTING COMPLIANCE
 11 FUND.—(1) The limitation under subsection (b) shall not
 12 apply to qualified legal and accounting expenditures made
 13 by a candidate or the candidate’s authorized committees
 14 or a Federal officeholder from a legal and accounting com-
 15 pliance fund meeting the requirements of paragraph (2).

16 “(2) A legal and accounting compliance fund meets
 17 the requirements of this paragraph if—

18 “(A) the only amounts transferred to the fund
 19 are amounts received in accordance with the limita-
 20 tions, prohibitions, and reporting requirements of
 21 this Act;

22 “(B) the aggregate amounts transferred to, and
 23 expenditures made from, the fund do not exceed the
 24 sum of—

25 “(i) the lesser of—

1 “(I) 15 percent of the general election
2 expenditure limit under subsection (b) for
3 the general election for which the fund was
4 established; or

5 “(II) \$300,000; plus

6 “(ii) the amount determined under para-
7 graph (4); and

8 “(C) no funds received by the candidate pursu-
9 ant to section 503(a)(3) may be transferred to the
10 fund.

11 “(3) For purposes of this subsection, the term ‘quali-
12 fied legal and accounting expenditures’ means the follow-
13 ing:

14 “(A) Any expenditures for costs of legal and ac-
15 counting services provided in connection with—

16 “(i) any administrative or court proceeding
17 initiated pursuant to this Act during the elec-
18 tion cycle for such general election; or

19 “(ii) the preparation of any documents or
20 reports required by this Act or the Commission.

21 “(B) Any expenditures for legal and accounting
22 services provided in connection with the general elec-
23 tion for which the legal and accounting compliance
24 fund was established to ensure compliance with this

1 Act with respect to the election cycle for such gen-
2 eral election.

3 “(4)(A) If, after a general election, a candidate deter-
4 mines that the qualified legal and accounting expenditures
5 will exceed the limitation under paragraph (2)(B)(i), the
6 candidate may petition the Commission by filing with the
7 Secretary of the Senate a request for an increase in such
8 limitation. The Commission shall authorize an increase in
9 such limitation in the amount (if any) by which the Com-
10 mission determines the qualified legal and accounting ex-
11 penditures exceed such limitation. Such determination
12 shall be subject to judicial review under section 506.

13 “(B) Except as provided in section 315, any contribu-
14 tion received or expenditure made pursuant to this para-
15 graph shall not be taken into account for any contribution
16 or expenditure limit applicable to the candidate under this
17 title.

18 “(5) Any funds in a legal and accounting compliance
19 fund shall be treated for purposes of this Act as a separate
20 segregated fund, except that any portion of the fund not
21 used to pay qualified legal and accounting expenditures,
22 and not transferred to a legal and accounting compliance
23 fund for the election cycle for the next general election,
24 shall be treated in the same manner as other campaign
25 funds.

1 “(d) PAYMENT OF TAXES.—The limitation under
 2 subsection (b) shall not apply to any expenditure for Fed-
 3 eral, State, or local taxes with respect to a candidate’s au-
 4 thorized committees.

5 “(e) EXPENDITURES.—For purposes of this title, the
 6 term ‘expenditure’ has the meaning given such term by
 7 section 301(9), except that in determining any expendi-
 8 tures made by, or on behalf of, a candidate or a can-
 9 didate’s authorized committees, section 301(9)(B) shall be
 10 applied without regard to clause (ii) or (vi) thereof.

11 **“SEC. 503. BENEFITS ELIGIBLE CANDIDATE ENTITLED TO**
 12 **RECEIVE.**

13 “(a) IN GENERAL.—An eligible Senate candidate
 14 shall be entitled to—

15 “(1) the broadcast media rates provided under
 16 section 315(b) of the Communications Act of 1934;

17 “(2) the mailing rates provided in section
 18 3626(e) of title 39, United States Code;

19 “(3) payments in the amounts determined
 20 under subsection (b); and

21 “(4) voter communication vouchers in the
 22 amount determined under subsection (c).

23 “(b) AMOUNT OF PAYMENTS.—(1) For purposes of
 24 subsection (a)(3), the amounts determined under this sub-
 25 section are—

1 “(A) the independent expenditure amount; and

2 “(B) in the case of an eligible Senate candidate
3 who has an opponent in the general election who re-
4 ceives contributions, or makes (or obligates to make)
5 expenditures, for such election in excess of the gen-
6 eral election expenditure limit under section 502(b),
7 the excess expenditure amount.

8 “(2) For purposes of paragraph (1), the independent
9 expenditure amount is the total amount of independent
10 expenditures made, or obligated to be made, during the
11 general election period by 1 or more persons in opposition
12 to, or on behalf of an opponent of, an eligible Senate can-
13 didate which are required to be reported by such persons
14 under section 304(c) with respect to the general election
15 period and are certified by the Commission under section
16 304(c).

17 “(3) For purposes of paragraph (1), the excess ex-
18 penditure amount is the amount determined as follows:

19 “(A) In the case of a major party candidate, an
20 amount equal to the sum of—

21 “(i) if the excess described in paragraph
22 (1)(B) is not greater than $133\frac{1}{3}$ percent of the
23 general election expenditure limit under section
24 502(b), an amount equal to one-third of such

1 limit applicable to the eligible Senate candidate
2 for the election; plus

3 “(ii) if such excess equals or exceeds $133\frac{1}{3}$
4 percent but is less than $166\frac{2}{3}$ percent of such
5 limit, an amount equal to one-third of such
6 limit; plus

7 “(iii) if such excess equals or exceeds
8 $166\frac{2}{3}$ percent of such limit, an amount equal
9 to one-third of such limit.

10 “(B) In the case of an eligible Senate candidate
11 who is not a major party candidate, an amount
12 equal to the lesser of—

13 “(i) the allowable contributions of the eligi-
14 ble Senate candidate during the applicable pe-
15 riod in excess of the threshold contribution re-
16 quirement under section 501(e); or

17 “(ii) 50 percent of the general election ex-
18 penditure limit applicable to the eligible Senate
19 candidate under section 502(b).

20 “(c) VOTER COMMUNICATION VOUCHERS.—(1) The
21 aggregate amount of voter communication vouchers issued
22 to an eligible Senate candidate shall be equal to 20 percent
23 of the general election expenditure limit under section
24 502(b) (10 percent of such limit if such candidate is not
25 a major party candidate).

1 “(2) Voter communication vouchers shall be used by
2 an eligible Senate candidate to purchase broadcast time
3 during the general election period in the same manner as
4 other broadcast time may be purchased by the candidate.

5 “(d) WAIVER OF EXPENDITURE AND CONTRIBUTION
6 LIMITS.—(1) An eligible Senate candidate who receives
7 payments under subsection (a)(3) which are allocable to
8 the independent expenditure or excess expenditure
9 amounts described in paragraphs (2) and (3) of subsection
10 (b) may make expenditures from such payments to defray
11 expenditures for the general election without regard to the
12 general election expenditure limit under section 502(b).

13 “(2)(A) An eligible Senate candidate who receives
14 benefits under this section may make expenditures for the
15 general election without regard to clause (i) of section
16 501(c)(1)(D) or subsection (a) or (b) of section 502 if any
17 one of the eligible Senate candidate’s opponents who is
18 not an eligible Senate candidate either raises aggregate
19 contributions, or makes or becomes obligated to make ag-
20 gregate expenditures, for the general election that exceed
21 200 percent of the general election expenditure limit appli-
22 cable to the eligible Senate candidate under section
23 502(b).

24 “(B) The amount of the expenditures which may be
25 made by reason of subparagraph (A) shall not exceed 100

1 percent of the general election expenditure limit under sec-
2 tion 502(b).

3 “(3)(A) A candidate who receives benefits under this
4 section may receive contributions for the general election
5 without regard to clause (iii) of section 501(c)(1)(D) if—

6 “(i) a major party candidate in the same gen-
7 eral election is not an eligible Senate candidate; or

8 “(ii) any other candidate in the same general
9 election who is not an eligible Senate candidate
10 raises aggregate contributions, or makes or becomes
11 obligated to make aggregate expenditures, for the
12 general election that exceed 75 percent of the gen-
13 eral election expenditure limit applicable to such
14 other candidate under section 502(b).

15 “(B) The amount of contributions which may be re-
16 ceived by reason of subparagraph (A) shall not exceed 100
17 percent of the general election expenditure limit under sec-
18 tion 502(b).

19 “(e) USE OF PAYMENTS.—Payments received by a
20 candidate under subsection (a)(3) shall be used to defray
21 expenditures incurred with respect to the general election
22 period for the candidate. Such payments shall not be
23 used—

24 “(1) except as provided in paragraph (4), to
25 make any payments, directly or indirectly, to such

1 candidate or to any member of the immediate family
2 of such candidate;

3 “(2) to make any expenditure other than ex-
4 penditures to further the general election of such
5 candidate;

6 “(3) to make any expenditures which constitute
7 a violation of any law of the United States or of the
8 State in which the expenditure is made; or

9 “(4) subject to the provisions of section 315(k),
10 to repay any loan to any person except to the extent
11 the proceeds of such loan were used to further the
12 general election of such candidate.

13 **“SEC. 504. CERTIFICATION BY COMMISSION.**

14 “(a) IN GENERAL.—(1) The Commission shall certify
15 to any candidate meeting the requirements of section 502
16 that such candidate is an eligible Senate candidate entitled
17 to benefits under this title. The Commission shall revoke
18 such certification if it determines a candidate fails to con-
19 tinue to meet such requirements.

20 “(2) No later than 48 hours after an eligible Senate
21 candidate files a request with the Secretary of the Senate
22 to receive benefits under section 505, the Commission
23 shall issue a certification stating whether such candidate
24 is eligible for payments under this title or to receive voter
25 communication vouchers and the amount of such pay-

1 ments or vouchers to which such candidate is entitled. The
 2 request referred to in the preceding sentence shall con-
 3 tain—

4 “(A) such information and be made in accord-
 5 ance with such procedures as the Commission may
 6 provide by regulation; and

7 “(B) a verification signed by the candidate and
 8 the treasurer of the principal campaign committee of
 9 such candidate stating that the information fur-
 10 nished in support of the request, to the best of their
 11 knowledge, is correct and fully satisfies the require-
 12 ments of this title.

13 “(b) DETERMINATIONS BY COMMISSION.—All deter-
 14 minations (including certifications under subsection (a))
 15 made by the Commission under this title shall be final and
 16 conclusive, except to the extent that they are subject to
 17 examination and audit by the Commission under section
 18 505 and judicial review under section 506.

19 **“SEC. 505. EXAMINATION AND AUDITS; REPAYMENTS; CIVIL**
 20 **PENALTIES.**

21 “(a) EXAMINATION AND AUDITS.—(1) After each
 22 general election, the Commission shall conduct an exam-
 23 ination and audit of the campaign accounts of 10 percent
 24 of all candidates for the office of United States Senator
 25 to determine, among other things, whether such can-

1 didates have complied with the expenditure limits and con-
2 ditions of eligibility of this title, and other requirements
3 of this Act. Such candidates shall be designated by the
4 Commission through the use of an appropriate statistical
5 method of random selection. If the Commission selects a
6 candidate, the Commission shall examine and audit the
7 campaign accounts of all other candidates in the general
8 election for the office the selected candidate is seeking.

9 “(2) The Commission may conduct an examination
10 and audit of the campaign accounts of any candidate in
11 a general election for the office of United States Senator
12 if the Commission determines that there exists reason to
13 believe that such candidate may have violated any provi-
14 sion of this title.

15 “(b) EXCESS PAYMENTS; REVOCATION OF STA-
16 TUS.—(1) If the Commission determines that payments
17 or vouchers were made to an eligible Senate candidate
18 under this title in excess of the aggregate amounts to
19 which such candidate was entitled, the Commission shall
20 so notify such candidate, and such candidate shall pay an
21 amount equal to the excess.

22 “(2) If the Commission revokes the certification of
23 a candidate as an eligible Senate candidate under section
24 504(a)(1), the Commission shall notify the candidate, and

1 the candidate shall pay an amount equal to the payments
2 and vouchers received under this title.

3 “(c) MISUSE OF BENEFITS.—If the Commission de-
4 termines that any amount of any benefit made available
5 to an eligible Senate candidate under this title was not
6 used as provided for in this title, the Commission shall
7 so notify such candidate and such candidate shall pay the
8 amount of such benefit.

9 “(d) EXCESS EXPENDITURES.—If the Commission
10 determines that any eligible Senate candidate who has re-
11 ceived benefits under this title has made expenditures
12 which in the aggregate exceed—

13 “(1) the primary or runoff expenditure limit
14 under section 501(d); or

15 “(2) the general election expenditure limit
16 under section 502(b),

17 the Commission shall so notify such candidate and such
18 candidate shall pay an amount equal to the amount of the
19 excess expenditures.

20 “(e) CIVIL PENALTIES FOR EXCESS EXPENDITURES
21 AND CONTRIBUTIONS.—(1) If the Commission determines
22 that a candidate has committed a violation described in
23 subsection (c), the Commission may assess a civil penalty
24 against such candidate in an amount not greater than 200
25 percent of the amount involved.

1 “(2)(A) LOW AMOUNT OF EXCESS EXPENDI-
2 TURES.—Any eligible Senate candidate who makes ex-
3 penditures that exceed any limitation described in para-
4 graph (1) or (2) of subsection (d) by 2.5 percent or less
5 shall pay an amount equal to the amount of the excess
6 expenditures.

7 “(B) MEDIUM AMOUNT OF EXCESS EXPENDI-
8 TURES.—Any eligible Senate candidate who makes ex-
9 penditures that exceed any limitation described in para-
10 graph (1) or (2) of subsection (d) by more than 2.5 per-
11 cent and less than 5 percent shall pay an amount equal
12 to three times the amount of the excess expenditures.

13 “(C) LARGE AMOUNT OF EXCESS EXPENDITURES.—
14 Any eligible Senate candidate who makes expenditures
15 that exceed any limitation described in paragraph (1) or
16 (2) of subsection (d) by 5 percent or more shall pay an
17 amount equal to three times the amount of the excess ex-
18 penditures plus a civil penalty in an amount determined
19 by the Commission.

20 “(f) UNEXPENDED FUNDS.—Any amount received by
21 an eligible Senate candidate under this title may be re-
22 tained for a period not exceeding 120 days after the date
23 of the general election for the liquidation of all obligations
24 to pay expenditures for the general election incurred dur-
25 ing the general election period. At the end of such 120-

1 day period, any unexpended funds received under this title
2 shall be promptly repaid.

3 “(g) LIMIT ON PERIOD FOR NOTIFICATION.—No no-
4 tification shall be made by the Commission under this sec-
5 tion with respect to an election more than three years after
6 the date of such election.

7 **“SEC. 506. JUDICIAL REVIEW.**

8 “(a) JUDICIAL REVIEW.—Any agency action by the
9 Commission made under the provisions of this title shall
10 be subject to review by the United States Court of Appeals
11 for the District of Columbia Circuit upon petition filed in
12 such court within thirty days after the agency action by
13 the Commission for which review is sought. It shall be the
14 duty of the Court of Appeals, ahead of all matters not
15 filed under this title, to advance on the docket and expedi-
16 tiously take action on all petitions filed pursuant to this
17 title.

18 “(b) APPLICATION OF TITLE 5.—The provisions of
19 chapter 7 of title 5, United States Code, shall apply to
20 judicial review of any agency action by the Commission.

21 “(c) AGENCY ACTION.—For purposes of this section,
22 the term ‘agency action’ has the meaning given such term
23 by section 551(13) of title 5, United States Code.

1 **“SEC. 507. PARTICIPATION BY COMMISSION IN JUDICIAL**
2 **PROCEEDINGS.**

3 “(a) APPEARANCES.—The Commission is authorized
4 to appear in and defend against any action instituted
5 under this section and under section 506 either by attor-
6 neys employed in its office or by counsel whom it may ap-
7 point without regard to the provisions of title 5, United
8 States Code, governing appointments in the competitive
9 service, and whose compensation it may fix without regard
10 to the provisions of chapter 51 and subchapter III of chap-
11 ter 53 of such title.

12 “(b) INSTITUTION OF ACTIONS.—The Commission is
13 authorized, through attorneys and counsel described in
14 subsection (a), to institute actions in the district courts
15 of the United States to seek recovery of any amounts de-
16 termined under this title to be payable to the Secretary.

17 “(c) INJUNCTIVE RELIEF.—The Commission is au-
18 thorized, through attorneys and counsel described in sub-
19 section (a), to petition the courts of the United States for
20 such injunctive relief as is appropriate in order to imple-
21 ment any provision of this title.

22 “(d) APPEALS.—The Commission is authorized on
23 behalf of the United States to appeal from, and to petition
24 the Supreme Court for certiorari to review, judgments or
25 decrees entered with respect to actions in which it appears
26 pursuant to the authority provided in this section.

1 **“SEC. 508. REPORTS TO CONGRESS; REGULATIONS.**

2 “(a) REPORTS.—The Commission shall, as soon as
3 practicable after each election, submit a full report to the
4 Senate setting forth—

5 “(1) the expenditures (shown in such detail as
6 the Commission determines appropriate) made by
7 each eligible Senate candidate and the authorized
8 committees of such candidate;

9 “(2) the amounts certified by the Commission
10 under section 504 as benefits available to each eligi-
11 ble Senate candidate; and

12 “(3) the amount of repayments, if any, required
13 under section 505 and the reasons for each repay-
14 ment required.

15 Each report submitted pursuant to this section shall be
16 printed as a Senate document.

17 “(b) RULES AND REGULATIONS.—The Commission
18 is authorized to prescribe such rules and regulations, in
19 accordance with the provisions of subsection (c), to con-
20 duct such examinations and investigations, and to require
21 the keeping and submission of such books, records, and
22 information, as it deems necessary to carry out the func-
23 tions and duties imposed on it by this title.

24 “(c) STATEMENT TO SENATE.—Thirty days before
25 prescribing any rules or regulation under subsection (b),
26 the Commission shall transmit to the Senate a statement

1 setting forth the proposed rule or regulation and contain-
 2 ing a detailed explanation and justification of such rule
 3 or regulation.

4 **“SEC. 509. CLOSED CAPTIONING REQUIREMENT FOR TELE-**
 5 **VISION COMMERCIALS OF ELIGIBLE SENATE**
 6 **CANDIDATES.**

7 “No eligible Senate candidate may receive amounts
 8 under section 503(a)(3) unless such candidate has cer-
 9 tified that any television commercial prepared or distrib-
 10 uted by the candidate will be prepared in a manner that
 11 contains, is accompanied by, or otherwise readily permits
 12 closed captioning of the oral content of the commercial
 13 to be broadcast by way of line 21 of the vertical blanking
 14 interval, or by way of comparable successor technologies.”.

15 (b) EFFECTIVE DATES.—(1) Except as provided in
 16 this subsection, the amendment made by subsection (a)
 17 shall apply to elections occurring after December 31,
 18 1994.

19 (2) For purposes of any expenditure or contribution
 20 limit imposed by the amendment made by subsection (a)—

21 (A) no expenditure made before January 1,
 22 1994, shall be taken into account, except that there
 23 shall be taken into account any such expenditure for
 24 goods or services to be provided after such date; and

1 (B) all cash, cash items, and Government secu-
 2 rities on hand as of January 1, 1994, shall be taken
 3 into account in determining whether the contribution
 4 limit is met, except that there shall not be taken into
 5 account amounts used during the 60-day period be-
 6 ginning on January 1, 1994, to pay for expenditures
 7 which were incurred (but unpaid) before such date.

8 (c) EFFECT OF INVALIDITY ON OTHER PROVISIONS
 9 OF ACT.—If section 501, 502, or 503 of title V of FECA
 10 (as added by this section), or any part thereof, is held
 11 to be invalid, all provisions of, and amendments made by,
 12 this Act shall be treated as invalid.

13 **SEC. 102. RESTRICTIONS ON ACTIVITIES OF POLITICAL AC-**
 14 **TION AND CANDIDATE COMMITTEES IN FED-**
 15 **ERAL ELECTIONS.**

16 (a) CONTRIBUTIONS.—Section 315 of FECA (2
 17 U.S.C. 441a) is amended by adding at the end the follow-
 18 ing new subsection:

19 “(i) CONTRIBUTIONS BY POLITICAL ACTION COM-
 20 MITTEES TO SENATE CANDIDATES.—(1) In the case of
 21 a candidate for election, or nomination for election, to the
 22 United States Senate (and such candidate’s authorized
 23 committees), subsection (a)(2)(A) shall be applied by sub-
 24 stituting “\$2,500” for “\$5,000”.

1 “(2) It shall be unlawful for a multicandidate political
2 committee to make a contribution to a candidate for elec-
3 tion, or nomination for election, to the United States Sen-
4 ate (or an authorized committee) to the extent that the
5 making of the contribution will cause the amount of con-
6 tributions received by the candidate and the candidate’s
7 authorized committees from multicandidate political com-
8 mittees to exceed the lesser of—

9 “(A) \$825,000; or

10 “(B) the greater of—

11 “(i) \$375,000; or

12 “(ii) 20 percent of the sum of the general
13 election spending limit under section 502(b)
14 plus the primary election spending limit under
15 section 501(d)(1)(A) (without regard to wheth-
16 er the candidate is an eligible Senate can-
17 didate).

18 “(3) In the case of an election cycle in which there
19 is a runoff election, the limit determined under paragraph
20 (2) shall be increased by an amount equal to 20 percent
21 of the runoff election expenditure limit under section
22 501(d)(1)(B) (without regard to whether the candidate is
23 such an eligible Senate candidate).

24 “(4) The \$825,000 and \$375,000 amounts in para-
25 graph (2) shall be increased as of the beginning of each

1 calendar year based on the increase in the price index de-
 2 termined under section 315(c), except that for purposes
 3 of paragraph (2), the base period shall be calendar year
 4 1992.

5 “(5) A candidate or authorized committee that re-
 6 ceives a contribution from a multicandidate political com-
 7 mittee in excess of the amount allowed under paragraph
 8 (2) shall return the amount of such excess contribution
 9 to the contributor.”.

10 **SEC. 103. REPORTING REQUIREMENTS.**

11 Title III of FECA is amended by adding after section
 12 304 the following new section:

13 “REPORTING REQUIREMENTS FOR SENATE CANDIDATES

14 “SEC. 304A. (a) CANDIDATE OTHER THAN ELIGI-
 15 BLE SENATE CANDIDATE.—(1) Each candidate for the of-
 16 fice of United States Senator who does not file a certifi-
 17 cation with the Secretary of the Senate under section
 18 501(c) shall file with the Secretary of the Senate a dec-
 19 laration as to whether such candidate intends to make ex-
 20 penditures for the general election in excess of the general
 21 election expenditure limit applicable to an eligible Senate
 22 candidate under section 502(b). Such declaration shall be
 23 filed at the time provided in section 501(c)(2).

24 “(2) Any candidate for the United States Senate who
 25 qualifies for the ballot for a general election—

1 “(A) who is not an eligible Senate candidate
2 under section 501; and

3 “(B) who either raises aggregate contributions,
4 or makes or obligates to make aggregate expendi-
5 tures, for the general election which exceed 75 per-
6 cent of the general election expenditure limit appli-
7 cable to an eligible Senate candidate under section
8 502(b),

9 shall file a report with the Secretary of the Senate within
10 24 hours after such contributions have been raised or such
11 expenditures have been made or obligated to be made (or,
12 if later, within 24 hours after the date of qualification for
13 the general election ballot), setting forth the candidate’s
14 total contributions and total expenditures for such election
15 as of such date. Thereafter, such candidate shall file addi-
16 tional reports (until such contributions or expenditures ex-
17 ceed 200 percent of such limit) with the Secretary of the
18 Senate within 24 hours after each time additional con-
19 tributions are raised, or expenditures are made or are obli-
20 gated to be made, which in the aggregate exceed an
21 amount equal to 10 percent of such limit and after the
22 total contributions or expenditures exceed $133\frac{1}{3}$, $166\frac{2}{3}$,
23 and 200 percent of such limit.

24 “(3) The Commission—

1 “(A) shall, within 24 hours of receipt of a dec-
2 laration or report under paragraph (1) or (2), notify
3 each eligible Senate candidate in the election in-
4 volved about such declaration or report; and

5 “(B) if an opposing candidate has raised aggre-
6 gate contributions, or made or has obligated to make
7 aggregate expenditures, in excess of the applicable
8 general election expenditure limit under section
9 502(b), shall certify, pursuant to the provisions of
10 subsection (d), such eligibility for payment of any
11 amount to which such eligible Senate candidate is
12 entitled under section 503(a).

13 “(4) Notwithstanding the reporting requirements
14 under this subsection, the Commission may make its own
15 determination that a candidate in a general election who
16 is not an eligible Senate candidate has raised aggregate
17 contributions, or made or has obligated to make aggregate
18 expenditures, in the amounts which would require a report
19 under paragraph (2). The Commission shall, within 24
20 hours after making each such determination, notify each
21 eligible Senate candidate in the general election involved
22 about such determination, and shall, when such contribu-
23 tions or expenditures exceed the general election expendi-
24 ture limit under section 502(b), certify (pursuant to the

1 provisions of subsection (d)) such candidate's eligibility for
2 payment of any amount under section 503(a).

3 “(b) REPORTS ON PERSONAL FUNDS.—(1) Any can-
4 didate for the United States Senate who during the elec-
5 tion cycle expends more than the limitation under section
6 502(a) during the election cycle from his personal funds,
7 the funds of his immediate family, and personal loans in-
8 curred by the candidate and the candidate's immediate
9 family shall file a report with the Secretary of the Senate
10 within 24 hours after such expenditures have been made
11 or loans incurred.

12 “(2) The Commission within 24 hours after a report
13 has been filed under paragraph (1) shall notify each eligi-
14 ble Senate candidate in the election involved about each
15 such report.

16 “(3) Notwithstanding the reporting requirements
17 under this subsection, the Commission may make its own
18 determination that a candidate for the United States Sen-
19 ate has made expenditures in excess of the amount under
20 paragraph (1). The Commission within 24 hours after
21 making such determination shall notify each eligible Sen-
22 ate candidate in the general election involved about each
23 such determination.

24 “(c) CANDIDATES FOR OTHER OFFICES.—(1) Each
25 individual—

1 “(A) who becomes a candidate for the office of
2 United States Senator;

3 “(B) who, during the election cycle for such of-
4 fice, held any other Federal, State, or local office or
5 was a candidate for such other office; and

6 “(C) who expended any amount during such
7 election cycle before becoming a candidate for the of-
8 fice of United States Senator which would have been
9 treated as an expenditure if such individual had
10 been such a candidate, including amounts for activi-
11 ties to promote the image or name recognition of
12 such individual,

13 shall, within 7 days of becoming a candidate for the office
14 of United States Senator, report to the Secretary of the
15 Senate the amount and nature of such expenditures.

16 “(2) Paragraph (1) shall not apply to any expendi-
17 tures in connection with a Federal, State, or local election
18 which has been held before the individual becomes a can-
19 didate for the office of United States Senator.

20 “(3) The Commission shall, as soon as practicable,
21 make a determination as to whether the amounts included
22 in the report under paragraph (1) were made for purposes
23 of influencing the election of the individual to the office
24 of United States Senator.

1 “(d) CERTIFICATIONS.—Notwithstanding section
 2 505(a), the certification required by this section shall be
 3 made by the Commission on the basis of reports filed in
 4 accordance with the provisions of this Act, or on the basis
 5 of such Commission’s own investigation or determination.

6 “(e) COPIES OF REPORTS AND PUBLIC INSPEC-
 7 TION.—The Secretary of the Senate shall transmit a copy
 8 of any report or filing received under this section or of
 9 title V (whenever a 24-hour response is required of the
 10 Commission) as soon as possible (but no later than 4
 11 working hours of the Commission) after receipt of such
 12 report or filing, and shall make such report or filing avail-
 13 able for public inspection and copying in the same manner
 14 as the Commission under section 311(a)(4), and shall pre-
 15 serve such reports and filings in the same manner as the
 16 Commission under section 311(a)(5).

17 “(f) DEFINITIONS.—For purposes of this section, any
 18 term used in this section which is used in title V shall
 19 have the same meaning as when used in title V.”.

20 **SEC. 104. DISCLOSURE BY NONELIGIBLE CANDIDATES.**

21 Section 318 of FECA (2 U.S.C. 441d), as amended
 22 by section 133, is amended by adding at the end thereof
 23 the following:

24 “(e) If a broadcast, cablecast, or other communica-
 25 tion is paid for or authorized by a candidate in the general

1 election for the office of United States Senator who is not
 2 an eligible Senate candidate, or the authorized committee
 3 of such candidate, such communication shall contain the
 4 following sentence: ‘This candidate has not agreed to vol-
 5 untary campaign spending limits.’.”.

6 **Subtitle B—Expenditure Limita-**
 7 **tions, Contribution Limitations,**
 8 **and Matching Funds for Eligible**
 9 **House of Representatives Can-**
 10 **didates**

11 **SEC. 121. PROVISIONS APPLICABLE TO ELIGIBLE HOUSE**
 12 **OF REPRESENTATIVES CANDIDATES.**

13 (a) IN GENERAL.—FECA, as amended by section
 14 101(a), is amended by adding at the end the following new
 15 title:

16 **“TITLE VI—EXPENDITURE LIM-**
 17 **TATIONS, CONTRIBUTION**
 18 **LIMITATIONS, AND MATCH-**
 19 **ING FUNDS FOR ELIGIBLE**
 20 **HOUSE OF REPRESENTA-**
 21 **TIVES CANDIDATES**

22 **“SEC. 601. EXPENDITURE LIMITATIONS.**

23 “(a) IN GENERAL.—An eligible House of Representa-
 24 tives candidate may not, in an election cycle, make expend-
 25 itures aggregating more than \$600,000, of which not more

1 than \$500,000 may be expended in the general election
2 period.

3 “(b) RUNOFF ELECTION AND SPECIAL ELECTION
4 AMOUNTS.—

5 “(1) RUNOFF ELECTION AMOUNT.—In addition
6 to the expenditures under subsection (a), an eligible
7 House of Representatives candidate who is a can-
8 didate in a runoff election may make expenditures
9 aggregating not more than 20 percent of the general
10 election period limit under subsection (a).

11 “(2) SPECIAL ELECTION AMOUNT.—An eligible
12 House of Representatives candidate who is a can-
13 didate in a special election may make expenditures
14 aggregating not more than \$500,000 with respect to
15 the special election.

16 “(c) CLOSELY CONTESTED PRIMARY.—If, as deter-
17 mined by the Commission, an eligible House of Represent-
18 atives candidate in a contested primary election wins that
19 primary election by a margin of 10 percentage points or
20 less, subject to the general election period limitation in
21 subsection (a), the candidate may make additional expend-
22 itures of not more than \$150,000 in the general election
23 period. The additional expenditures shall be from con-
24 tributions described in section 603(h) and payments de-
25 scribed in section 604(f).

1 “(d) NONPARTICIPATING OPPONENT PROVISIONS.—

2 “(1) LIMITATION EXCEPTION.—The limitations
3 imposed by subsections (a) and (b) do not apply in
4 the case of an eligible House of Representatives can-
5 didate if any other candidate seeking nomination or
6 election to that office—

7 “(A) is not an eligible House of Represent-
8 atives candidate; and

9 “(B) makes expenditures in excess of 80
10 percent of the general election period limitation
11 specified in subsection (a).

12 “(2) CONTINUED ELIGIBILITY AND ADDITIONAL
13 MATCHING FUNDS.—An eligible House of Represent-
14 atives candidate referred to in paragraph (1)—

15 “(A) shall continue to be eligible for all
16 benefits under this title; and

17 “(B) shall receive matching funds without
18 regard to the ceiling under section 604(a).

19 “(3) REPORTING REQUIREMENT.—A candidate
20 for the office of Representative in, or Delegate or
21 Resident Commissioner to, the Congress—

22 “(A) who is not an eligible House of Rep-
23 resentatives candidate; and

24 “(B) who—

1 “(i) receives contributions in excess of
2 50 percent of the general election period
3 limitation specified in subsection (a)(1); or
4 “(ii) makes expenditures in excess of
5 80 percent of such limit;

6 shall report that the threshold has been reached to
7 the Clerk of the House of Representatives not later
8 than 48 hours after reaching the threshold. The
9 Clerk shall transmit a report received under this
10 paragraph to the Commission as soon as possible
11 (but no later than 4 working hours of the Commis-
12 sion) after such receipt, and the Commission shall
13 transmit a copy to each other candidate in the elec-
14 tion within 48 hours of receipt.

15 “(e) EXEMPTION FOR CERTAIN COSTS AND
16 TAXES.—Payments for legal and accounting compliance
17 costs, and Federal, State, or local taxes with respect to
18 a candidate’s authorized committees, shall not be consid-
19 ered in the computation of amounts subject to limitation
20 under this section.

21 “(f) EXEMPTION FOR FUNDRAISING COSTS.—

22 “(1) Any costs incurred by an eligible House of
23 Representatives candidate or his or her authorized
24 committee in connection with the solicitation of con-
25 tributions on behalf of such candidate shall not be

1 considered in the computation of amounts subject to
2 limitation under this section to the extent that the
3 aggregate of such costs does not exceed 5 percent of
4 the limitation under subsection (a) or subsection (b).

5 “(2) An amount equal to 5 percent of salaries
6 and overhead expenditures of an eligible House of
7 Representatives candidate’s campaign headquarters
8 and offices shall not be considered in the computa-
9 tion of amounts subject to limitation under this sec-
10 tion. Any amount excluded under this paragraph
11 shall be applied against the fundraising expenditure
12 exemption under paragraph (1).

13 “(g) CIVIL PENALTIES.—

14 “(1) LOW AMOUNT OF EXCESS EXPENDI-
15 TURES.—Any eligible House of Representatives can-
16 didate who makes expenditures that exceed a limita-
17 tion under subsection (a) or subsection (b) by 2.5
18 percent or less shall pay to the Commission an
19 amount equal to the amount of the excess expendi-
20 tures.

21 “(2) MEDIUM AMOUNT OF EXCESS EXPENDI-
22 TURES.—Any eligible House of Representatives can-
23 didate who makes expenditures that exceed a limita-
24 tion under subsection (a) or subsection (b) by more
25 than 2.5 percent and less than 5 percent shall pay

1 to the Commission an amount equal to three times
2 the amount of the excess expenditures.

3 “(3) LARGE AMOUNT OF EXCESS EXPENDI-
4 TURES.—Any eligible House of Representatives can-
5 didate who makes expenditures that exceed a limita-
6 tion under subsection (a) or subsection (b) by 5 per-
7 cent or more shall pay to the Commission an
8 amount equal to three times the amount of the ex-
9 cess expenditures plus a civil penalty in an amount
10 determined by the Commission.

11 “(h) INDEXING.—The dollar amounts specified in
12 subsections (a), (b), (c), and (e) shall be adjusted at the
13 beginning of each calendar year based on the increase in
14 the price index determined under section 315(c), except
15 that, for the purposes of such adjustment, the base period
16 shall be calendar year 1992.

17 **“SEC. 602. STATEMENT OF PARTICIPATION; CONTINUING**
18 **ELIGIBILITY.**

19 “(a) IN GENERAL.—The Commission shall determine
20 whether a candidate is in compliance with this title and,
21 by reason of such compliance, is eligible to receive benefits
22 under this title. Such determination shall—

23 “(1) in the case of an initial determination, be
24 based on a statement of participation submitted by
25 the candidate; and

1 “(2) in the case of a determination of continu-
 2 ing eligibility, be based on relevant additional infor-
 3 mation submitted in such form and manner as the
 4 Commission may require.

5 “(b) FILING.—The statement of participation re-
 6 ferred to in subsection (a) shall be filed with the Clerk
 7 of the House of Representatives not later than January
 8 31 of the election year or on the date on which the can-
 9 didate files a statement of candidacy, whichever is later.
 10 The Clerk of the House of Representatives shall transmit
 11 a statement received under this section to the Commission
 12 as soon as possible.

13 **“SEC. 603. CONTRIBUTION LIMITATIONS.**

14 “(a) ELIGIBLE HOUSE OF REPRESENTATIVES CAN-
 15 DIDATE LIMITATION.—An eligible House of Representa-
 16 tives candidate may not, with respect to an election cycle,
 17 accept contributions aggregating in excess of \$600,000.

18 “(b) NONPARTICIPATING OPPONENT PROVISIONS.—
 19 The limitations imposed by subsection (a) do not apply
 20 in the case of an eligible House of Representatives can-
 21 didate if any other candidate seeking nomination or elec-
 22 tion to that office—

23 “(1) is not an eligible House of Representatives
 24 candidate; and

1 “(2) receives contributions in excess of 50 per-
2 cent of the general election period limitation speci-
3 fied in section 601(a).

4 “(c) TRANSFER PROVISIONS.—

5 “(1) If an eligible House of Representatives
6 candidate transfers any amount from an election
7 cycle to a later election cycle, the limitation with re-
8 spect to the candidate under subsection (a) for the
9 later cycle shall be an amount equal to the difference
10 between the amount specified in that subsection and
11 the amount transferred.

12 “(2) If an eligible House of Representatives
13 candidate transfers any amount from an election
14 cycle to a later election cycle, each limitation with
15 respect to the candidate under section 315(j) for the
16 later cycle shall be one-third of the difference be-
17 tween the applicable amount specified in subsection
18 (a) and the amount transferred.

19 “(d) RUNOFF AMOUNT.—In addition to the contribu-
20 tions under subsection (a), an eligible House of Represent-
21 atives candidate who is a candidate in a runoff election
22 may accept contributions aggregating not more than 20
23 percent of the general election expenditure limit under sec-
24 tion 601(a) in the general election period. Of such con-
25 tributions, one-half may be from political committees and

1 one-half may be from persons referred to in section
2 315(j)(2).

3 “(e) PERSONAL CONTRIBUTIONS.—

4 “(1) IN GENERAL.—An eligible House of Rep-
5 resentatives candidate may not, with respect to an
6 election cycle, make contributions to his or her own
7 campaign totaling more than \$50,000 from the per-
8 sonal funds of the candidate. The amount that the
9 candidate may accept from persons referred to in
10 section 315(j)(2) shall be reduced by the amount of
11 contributions made under the preceding sentence.
12 Contributions from the personal funds of a can-
13 didate may not be matched under section 604.

14 “(2) LIMITATION EXCEPTION.—The limitation
15 imposed by paragraph (1) does not apply in the case
16 of an eligible House of Representatives candidate if
17 any other candidate—

18 “(A) is not an eligible House of Represent-
19 atives candidate; and

20 “(B) receives contributions in excess of 50
21 percent of the general election period limitation
22 specified in section 601(a).

23 “(3) TRIPLE MATCH.—An eligible House of
24 Representatives candidate, whose opponent makes
25 contributions to his or her own campaign in excess

1 of 50 percent of the general election period limita-
2 tion specified in section 601(a), shall receive \$3 in
3 matching funds for each \$1 certified by the Commis-
4 sion as matchable for the eligible candidate.

5 “(f) CIVIL PENALTIES.—

6 “(1) LOW AMOUNT OF EXCESS CONTRIBU-
7 TIONS.—Any eligible House of Representatives can-
8 didate who accepts contributions that exceed the lim-
9 itation under subsection (a) by 2.5 percent or less
10 shall refund the excess contributions to the persons
11 who made the contributions.

12 “(2) MEDIUM AMOUNT OF EXCESS CONTRIBU-
13 TIONS.—Any eligible House of Representatives can-
14 didate who accepts contributions that exceed a limi-
15 tation under subsection (a) by more than 2.5 per-
16 cent and less than 5 percent shall pay to the Com-
17 mission an amount equal to three times the amount
18 of the excess contributions.

19 “(3) LARGE AMOUNT OF EXCESS CONTRIBU-
20 TIONS.—Any eligible House of Representatives can-
21 didate who accepts contributions that exceed a limi-
22 tation under subsection (a) by 5 percent or more
23 shall pay to the Commission an amount equal to
24 three times the amount of the excess contributions

1 plus a civil penalty in an amount determined by the
2 Commission.

3 “(g) EXEMPTION FOR CERTAIN COSTS.—(1) Any
4 amount—

5 “(A) accepted by a candidate for the office of
6 Representative in, or Delegate or Resident Commis-
7 sioner to the Congress; and

8 “(B) used for legal and accounting compliance
9 costs, or used to pay Federal, State, or local taxes
10 with respect to a candidate’s authorized committees
11 shall not be considered in the computation of
12 amounts subject to limitation under subsection (a).

13 “(2) The balance of funds maintained for legal and
14 accounting compliance costs by the authorized committees
15 of an eligible House of Representatives candidate shall not
16 exceed 20 percent of the limit under subsection (a) at any
17 time.

18 “(3) No funds received by a candidate under section
19 604 may be transferred to a separate legal and accounting
20 compliance fund.

21 “(h) CLOSELY CONTESTED PRIMARY.—If, as deter-
22 mined by the Commission, an eligible House of Represent-
23 atives candidate in a contested primary election wins that
24 primary election by a margin of 10 percentage points or
25 less, notwithstanding the limitation in subsection (a), the

1 candidate may, in the general election period, accept addi-
2 tional contributions of not more than \$150,000, consisting
3 of—

4 “(1) not more than \$50,000 from political com-
5 mittees; and

6 “(2) not more than \$50,000 from individuals
7 referred to in section 315(j)(2).

8 “(i) INDEXING.—The dollar amounts specified in
9 subsections (a), (d), (e), and (h) shall be adjusted at the
10 beginning of the calendar year based on the increase in
11 the price index determined under section 315(c), except
12 that, for the purposes of such adjustment, the base period
13 shall be calendar year 1992.

14 **“SEC. 604. MATCHING FUNDS.**

15 “(a) IN GENERAL.—An eligible House of Representa-
16 tives candidate shall be entitled to receive, with respect
17 to the general election, an amount equal to the amount
18 of contributions from individuals received by the can-
19 didate, but not more than \$200,000, and not to the extent
20 that contributions from any individual during the election
21 cycle exceed \$250 in the aggregate.

22 “(b) INDEPENDENT EXPENDITURE PROVISION.—If,
23 with respect to a general election involving an eligible
24 House of Representatives candidate, independent expendi-
25 tures totaling \$10,000 are made against the eligible House

1 of Representatives candidate or in favor of another can-
2 didate, the eligible House of Representatives candidate
3 shall be entitled, in addition to any amount received under
4 subsection (a), to a matching payment of \$10,000 and ad-
5 ditional matching payments equal to the amount of such
6 independent expenditures above \$10,000, and expendi-
7 tures may be made from such payments without regard
8 to the limitations in section 601.

9 “(c) SPECIFIC REQUIREMENTS.—A candidate for the
10 office of Representative in, or Delegate or Resident Com-
11 missioner to, the Congress may receive matching funds
12 under subsection (a) only if the candidate—

13 “(1) in an election cycle, has received \$60,000
14 in contributions from individuals, with not more
15 than \$250 to be taken into account per individual;

16 “(2) qualifies for the general election ballot;

17 “(3) has an opponent on the general election
18 ballot; and

19 “(4) files a statement of participation in which
20 the candidate agrees to—

21 “(A) comply with the limitations under
22 sections 601 and 603;

23 “(B) cooperate in the case of any audit by
24 the Commission by furnishing such campaign

1 records and other information as the Commis-
2 sion may require; and

3 “(C) comply with any repayment require-
4 ment under section 605.

5 “(d) WRITTEN INSTRUMENT REQUIREMENT.—No
6 contribution in any form other than a gift of money made
7 by a written instrument that identifies the individual mak-
8 ing the contribution may be used as a basis for any match-
9 ing payment under this section.

10 “(e) CERTIFICATION AND PAYMENT.—

11 “(1) CERTIFICATION.—Except as provided in
12 paragraphs (2) and (3), not later than 5 days after
13 receiving a request for payment, the Commission
14 shall certify for payment the amount requested
15 under subsection (a) or (b).

16 “(2) PAYMENTS.—The initial payment under
17 subsection (a) to an eligible candidate shall be
18 \$60,000. All payments shall be—

19 “(A) made not later than 48 hours after
20 certification under paragraph (1); and

21 “(B) subject to proportional reduction in
22 the case of insufficient funds.

23 “(3) INCORRECT REQUEST.—If the Commission
24 determines that any portion of a request is incorrect,
25 the Commission shall withhold the certification for

1 that portion only and inform the candidate as to
2 how the candidate may correct the request.

3 “(f) CLOSELY CONTESTED PRIMARY.—If, as deter-
4 mined by the Commission, an eligible House of Represent-
5 atives candidate in a contested primary election wins that
6 primary election by a margin of 10 percentage points or
7 less, the candidate shall be entitled to matching funds to-
8 taling not more than \$50,000, in addition to any other
9 amount received under this section.

10 “(g) CONVERSIONS TO PERSONAL USE.—A can-
11 didate may not convert any amount received under this
12 section to personal use other than for reimbursement of
13 verifiable prior campaign expenditures.

14 “(h) INDEXING.—The dollar amounts specified in
15 subsections (a), (b), (c) (other than the amount in sub-
16 section (c) to be taken into account per individual), and
17 (f) shall be adjusted at the beginning of the calendar year
18 based on the increase in the price index determined under
19 section 315(c), except that, for the purposes of such ad-
20 justment, the base period shall be calendar year 1992.

21 **“SEC. 605. EXAMINATION AND AUDITS; REPAYMENTS.**

22 “(a) GENERAL ELECTION.—After each general elec-
23 tion, the Commission shall conduct an examination and
24 audit of the campaign accounts of 10 percent of the eligi-
25 ble House of Representatives candidates, as designated by

1 the Commission through the use of an appropriate statis-
2 tical method of random selection, to determine whether
3 such candidates have complied with the conditions of eligi-
4 bility and other requirements of this title. No other factors
5 shall be considered in carrying out such an examination
6 and audit. In selecting the accounts to be examined and
7 audited, the Commission shall select all eligible candidates
8 from a congressional district where any eligible candidate
9 is selected for examination and audit.

10 “(b) SPECIAL ELECTION.—After each special elec-
11 tion, the Commission shall conduct an examination and
12 audit of the campaign accounts of all eligible candidates
13 in the election to determine whether the candidates have
14 complied with the conditions of eligibility and other re-
15 quirements of this title.

16 “(c) AFFIRMATIVE VOTE.—The Commission may
17 conduct an examination and audit of the campaign ac-
18 counts of any eligible House of Representatives candidate
19 in a general election if the Commission, by an affirmative
20 vote of 4 members, determines that there exists reason
21 to believe that such candidate may have violated any provi-
22 sion of this title.

23 “(d) PAYMENTS.—If the Commission determines that
24 any amount of a payment to a candidate under this title
25 was in excess of the aggregate payments to which such

1 candidate was entitled, the Commission shall so notify the
2 candidate, and the candidate shall pay an amount equal
3 to the excess.

4 **“SEC. 606. JUDICIAL REVIEW.**

5 “(a) JUDICIAL REVIEW.—Any agency action by the
6 Commission made under the provisions of this title shall
7 be subject to review by the United States Court of Appeals
8 for the District of Columbia Circuit upon petition filed in
9 such court within 30 days after the agency action by the
10 Commission for which review is sought. It shall be the
11 duty of the Court of Appeals, ahead of all matters not
12 filed under this title, to advance on the docket and expedi-
13 tiously take action on all petitions filed pursuant to this
14 title.

15 “(b) APPLICATION OF TITLE 5.—The provisions of
16 chapter 7 of title 5, United States Code, shall apply to
17 judicial review of any agency action by the Commission.

18 “(c) AGENCY ACTION.—For purposes of this section,
19 the term ‘agency action’ has the meaning given such term
20 by section 551(13) of title 5, United States Code.

21 **“SEC. 607. PARTICIPATION BY COMMISSION IN JUDICIAL**
22 **PROCEEDINGS.**

23 “(a) APPEARANCES.—The Commission is authorized
24 to appear in and defend against any action instituted
25 under this section and under section 606 either by attor-

1 neys employed in its office or by counsel whom it may ap-
2 point without regard to the provisions of title 5, United
3 States Code, governing appointments in the competitive
4 service, and whose compensation it may fix without regard
5 to the provisions of chapter 51 and subchapter III of chap-
6 ter 53 of such title.

7 “(b) INSTITUTION OF ACTIONS.—The Commission is
8 authorized, through attorneys and counsel described in
9 subsection (a), to institute actions in the district courts
10 of the United States to seek recovery of any amounts de-
11 termined under this title to be payable to the Secretary.

12 “(c) INJUNCTIVE RELIEF.—The Commission is au-
13 thorized, through attorneys and counsel described in sub-
14 section (a), to petition the courts of the United States for
15 such injunctive relief as is appropriate in order to imple-
16 ment any provision of this title.

17 “(d) APPEALS.—The Commission is authorized on
18 behalf of the United States to appeal from, and to petition
19 the Supreme Court for certiorari to review, judgments or
20 decrees entered with respect to actions in which it appears
21 pursuant to the authority provided in this section.

1 **“SEC. 608. REPORTS TO CONGRESS; CERTIFICATIONS; REG-**
2 **ULATIONS.**

3 “(a) REPORTS.—The Commission shall, as soon as
4 practicable after each election, submit a full report to the
5 House of Representatives setting forth—

6 “(1) the expenditures (shown in such detail as
7 the Commission determines appropriate) made by
8 each eligible candidate and the authorized commit-
9 tees of such candidate;

10 “(2) the aggregate amount of matching fund
11 payments certified by the Commission under section
12 604 for each eligible candidate; and

13 “(3) the amount of repayments, if any, required
14 under section 605, and the reasons for each repay-
15 ment required.

16 Each report submitted pursuant to this section shall be
17 printed as a House document.

18 “(b) DETERMINATIONS BY COMMISSION.—All deter-
19 minations (including certifications under section 604)
20 made by the Commission under this title shall be final and
21 conclusive, except to the extent that they are subject to
22 examination and audit by the Commission under section
23 605 or judicial review under section 606.

24 “(c) RULES AND REGULATIONS.—The Commission is
25 authorized to prescribe such rules and regulations, in ac-
26 cordance with the provisions of subsection (d), to conduct

1 such audits, examinations and investigations, and to re-
 2 quire the keeping and submission of such books, records,
 3 and information, as it deems necessary to carry out the
 4 functions and duties imposed on it by this title.

5 “(d) REPORT OF PROPOSED REGULATIONS.—The
 6 Commission shall submit to the House of Representatives
 7 a report containing a detailed explanation and justification
 8 of each rule, regulation, and form of the Commission
 9 under this title. No such rule, regulation, or form may
 10 take effect until a period of 30 legislative days has elapsed
 11 after the report is received. As used in this subsection—

12 “(1) the term ‘legislative day’ means any cal-
 13 endar day on which the House of Representatives is
 14 in session; and

15 “(2) the terms ‘rule’ and ‘regulation’ mean a
 16 provision or series of interrelated provisions stating
 17 a single, separable rule of law.

18 **“SEC. 609. CLOSED CAPTIONING REQUIREMENT FOR TELE-**
 19 **VISION COMMERCIALS OF ELIGIBLE HOUSE**
 20 **OF REPRESENTATIVES CANDIDATES.**

21 “No eligible House of Representatives candidate may
 22 receive amounts under section 604 unless such candidate
 23 has certified that any television commercial prepared or
 24 distributed by the candidate will be prepared in a manner
 25 that contains, is accompanied by, or otherwise readily per-

1 mits closed captioning of the oral content of the commer-
 2 cial to be broadcast by way of line 21 of the vertical blank-
 3 ing interval, or by way of comparable successor tech-
 4 nologies.”.

5 (b) EFFECT OF INVALIDITY ON OTHER PROVISIONS
 6 OF ACT.—If title VI of FECA (as added by this section),
 7 or any part thereof, is held to be invalid, all provisions
 8 of, and amendments made by, this Act, shall be treated
 9 as invalid.

10 **SEC. 122. LIMITATIONS ON POLITICAL COMMITTEE AND**
 11 **LARGE DONOR CONTRIBUTIONS THAT MAY**
 12 **BE ACCEPTED BY HOUSE OF REPRESENTA-**
 13 **TIVES CANDIDATES.**

14 Section 315 of the Federal Election Campaign Act
 15 of 1971 (2 U.S.C. 441a), as amended by section 102, is
 16 amended by adding at the end the following new sub-
 17 section:

18 “(j)(1) A candidate for the office of Representative
 19 in, or Delegate or Resident Commissioner to, the Congress
 20 may not, with respect to an election cycle, accept contribu-
 21 tions from political committees aggregating in excess of
 22 \$200,000.

23 “(2) A candidate for the office of Representative in,
 24 or Delegate or Resident Commissioner to, the Congress
 25 may not, with respect to an election cycle, accept contribu-

1 tions aggregating in excess of \$200,000 from persons
2 other than political committees whose contributions total
3 more than \$250.

4 “(3) In addition to the contributions under para-
5 graphs (1) and (2), a House of Representatives candidate
6 who is a candidate in a runoff election may accept con-
7 tributions aggregating not more than \$100,000 with re-
8 spect to the runoff election. Of such contributions, one-
9 half may be from political committees and one-half may
10 be from persons referred to in paragraph (2).

11 “(4) Any amount—

12 “(A) accepted by a candidate for the office of
13 Representative in, or Delegate or Resident Commis-
14 sioner to the Congress; and

15 “(B) used for legal and accounting compliance
16 costs, Federal, State, and local taxes,

17 shall not be considered in the computation of amounts
18 subject to limitation under paragraphs (1), (2), and (3),
19 but shall be subject to the other limitations of this Act.

20 “(5) In addition to any other contributions under this
21 subsection, if, as determined by the Commission, an eligi-
22 ble House of Representatives candidate in a contested pri-
23 mary election wins that primary election by a margin of
24 10 percentage points or less, the candidate may, in the

1 general election period, accept contributions of not more
2 than \$150,000, consisting of—

3 “(A) not more than \$50,000 from political com-
4 mittees; and

5 “(B) not more than \$50,000 from persons re-
6 ferred to in paragraph (2).

7 “(6) The dollar amounts specified in paragraphs (1),
8 (2), (3), and (5) (other than the amounts in paragraphs
9 (2) and (5) relating to contribution totals) shall be ad-
10 justed in the manner provided in section 315(c), except
11 that, for the purposes of such adjustment, the base period
12 shall be calendar year 1992.”.

13 **SEC. 123. EXCESS FUNDS OF INCUMBENTS WHO ARE CAN-**
14 **DIDATES FOR THE HOUSE OF REPRESENTA-**
15 **TIVES.**

16 An individual who—

17 (1) is a candidate for the office of Representa-
18 tive in, or Delegate or Resident Commissioner to,
19 the Congress in an election cycle to which title VI
20 of FECA (as enacted by section 121 of this Act) ap-
21 plies;

22 (2) is an incumbent of that office; and

23 (3) as of the date of the first statement of par-
24 ticipation submitted by the individual under section

1 502 of FECA, has campaign accounts containing in
2 excess of \$600,000;
3 shall deposit such excess in a separate account subject to
4 the provision of section 304 of FECA. The amount so de-
5 posited shall be available for any lawful purpose other
6 than use, with respect to the individual, for an election
7 for the office of Representative in, or Delegate or Resident
8 Commissioner to, the Congress.

9 **Subtitle C—General Provisions**

10 **SEC. 131. BROADCAST RATES AND PREEMPTION.**

11 (a) BROADCAST RATES.—Section 315(b) of the Com-
12 munications Act of 1934 (47 U.S.C. 315(b)) is amended—

13 (1) in paragraph (1)—

14 (A) by striking out “forty-five” and insert-
15 ing in lieu thereof “30”;

16 (B) by striking out “sixty” and inserting
17 in lieu thereof “45”; and

18 (C) by striking out “lowest unit charge of
19 the station for the same class and amount of
20 time for the same period” and insert “lowest
21 charge of the station for the same amount of
22 time for the same period on the same date”;
23 and

24 (2) by adding at the end the following new sen-
25 tence:

1 “In the case of an eligible Senate candidate (as defined
2 in section 301(19) of the Federal Election Campaign Act
3 of 1971), the charges during the general election period
4 (as defined in section 301(21) of such Act) shall not ex-
5 ceed 50 percent of the lowest charge described in para-
6 graph (1).”.

7 (b) PREEMPTION; ACCESS.—Section 315 of such Act
8 (47 U.S.C. 315) is amended by redesignating subsections
9 (c) and (d) as subsections (e) and (f), respectively, and
10 by inserting immediately after subsection (b) the following
11 new subsection:

12 “(c)(1) Except as provided in paragraph (2), a li-
13 censee shall not preempt the use, during any period speci-
14 fied in subsection (b)(1), of a broadcasting station by a
15 legally qualified candidate for public office who has pur-
16 chased and paid for such use pursuant to the provisions
17 of subsection (b)(1).

18 “(2) If a program to be broadcast by a broadcasting
19 station is preempted because of circumstances beyond the
20 control of the broadcasting station, any candidate adver-
21 tising spot scheduled to be broadcast during that program
22 may also be preempted.

23 “(d) In the case of a legally qualified candidate for
24 the United States Senate, a licensee shall provide broad-

1 cast time without regard to the rates charged for the
2 time.”.

3 **SEC. 132. EXTENSION OF REDUCED THIRD-CLASS MAILING**
4 **RATES TO ELIGIBLE HOUSE OF REPRESENTA-**
5 **TIVES AND SENATE CANDIDATES.**

6 Section 3626(e) of title 39, United States Code, is
7 amended—

8 (1) in paragraph (2)(A)—

9 (A) by striking out “and the National”
10 and inserting in lieu thereof “the National”;
11 and

12 (B) by striking out “Committee;” and in-
13 serting in lieu thereof “Committee, and, subject
14 to paragraph (3), the principal campaign com-
15 mittee of an eligible House of Representatives
16 or Senate candidate;”;

17 (2) in paragraph (2)(B), by striking out “and”
18 after the semicolon;

19 (3) in paragraph (2)(C), by striking out the pe-
20 riod and inserting in lieu thereof “; and”;

21 (4) by adding after paragraph (2)(C) the fol-
22 lowing new subparagraph:

23 “(D) the terms ‘eligible House of Representa-
24 tives candidate’, ‘eligible Senate candidate’, and
25 ‘principal campaign committee’ have the meanings

1 given those terms in section 301 of the Federal
2 Election Campaign Act of 1971.”; and

3 (5) by adding after paragraph (2) the following
4 new paragraph:

5 “(3) The rate made available under this subsection
6 with respect to an eligible House of Representatives or
7 Senate candidate shall apply only to—

8 “(A) the general election period (as defined in
9 section 301 of the Federal Election Campaign Act of
10 1971); and

11 “(B) that number of pieces of mail equal to the
12 number of individuals in the voting age population
13 (as certified under section 315(e) of such Act) of the
14 congressional district or State, whichever is applica-
15 ble.”.

16 **SEC. 133. REPORTING REQUIREMENTS FOR CERTAIN INDE-**
17 **PENDENT EXPENDITURES.**

18 Section 304(c) of FECA (2 U.S.C. 434(c)) is amend-
19 ed—

20 (1) in paragraph (2), by striking out the undes-
21 ignated matter after subparagraph (C);

22 (2) by redesignating paragraph (3) as para-
23 graph (5); and

24 (3) by inserting after paragraph (2), as amend-
25 ed by paragraph (1), the following new paragraphs:

1 “(3)(A) Any independent expenditure (including
2 those described in subsection (b)(6)(B)(iii) of this section)
3 aggregating \$1,000 or more made after the 20th day, but
4 more than 24 hours, before any election shall be reported
5 within 24 hours after such independent expenditure is
6 made.

7 “(B) Any independent expenditure aggregating
8 \$10,000 or more made at any time up to and including
9 the 20th day before any election shall be reported within
10 48 hours after such independent expenditure is made. An
11 additional statement shall be filed each time independent
12 expenditures aggregating \$10,000 are made with respect
13 to the same election as the initial statement filed under
14 this section.

15 “(C) Such statement shall be filed with the Clerk of
16 the House of Representatives or the Secretary of the Sen-
17 ate, whichever is applicable, and the Secretary of State
18 of the State involved and shall contain the information re-
19 quired by subsection (b)(6)(B)(iii) of this section, includ-
20 ing whether the independent expenditure is in support of,
21 or in opposition to, the candidate involved. The Clerk of
22 the House of Representatives and the Secretary of the
23 Senate shall as soon as possible (but not later than 4
24 working hours of the Commission) after receipt of a state-
25 ment transmit it to the Commission. Not later than 48

1 hours after the Commission receives a report, the Commis-
2 sion shall transmit a copy of the report to each candidate
3 seeking nomination or election to that office.

4 “(D) For purposes of this section, the term ‘made’
5 includes any action taken to incur an obligation for
6 payment.

7 “(4)(A) If any person intends to make independent
8 expenditures totaling \$5,000 during the 20 days before
9 an election, such person shall file a statement no later
10 than the 20th day before the election.

11 “(B) Such statement shall be filed with the Clerk of
12 the House of Representatives or the Secretary of the Sen-
13 ate, whichever is applicable, and the Secretary of State
14 of the State involved, and shall identify each candidate
15 whom the expenditure will support or oppose. The Clerk
16 of the House of Representatives and the Secretary of the
17 Senate shall as soon as possible (but not later than 4
18 working hours of the Commission) after receipt of a state-
19 ment transmit it to the Commission. Not later than 48
20 hours after the Commission receives a statement under
21 this paragraph, the Commission shall transmit a copy of
22 the statement to each candidate identified.

23 “(5) The Commission may make its own determina-
24 tion that a person has made, or has incurred obligations
25 to make, independent expenditures with respect to any

1 Federal election which in the aggregate exceed the applica-
 2 ble amounts under paragraph (3) or (4). The Commission
 3 shall notify each candidate in such election of such deter-
 4 mination within 24 hours of making it.

5 “(6) At the same time as a candidate is notified
 6 under paragraph (3), (4), or (5) with respect to expendi-
 7 tures during a general election period, the Commission
 8 shall certify eligibility to receive benefits under section
 9 504(a) or section 604(b).

10 “(7) The Clerk of the House of Representatives and
 11 the Secretary of the Senate shall make any statement re-
 12 ceived under this subsection available for public inspection
 13 and copying in the same manner as the Commission under
 14 section 311(a)(4), and shall preserve such statements in
 15 the same manner as the Commission under section
 16 311(a)(5).”.

17 **SEC. 134. CAMPAIGN ADVERTISING AMENDMENTS.**

18 Section 318 of FECA (2 U.S.C. 441d) is amended—

19 (1) in the matter before paragraph (1) of sub-
 20 section (a), by striking “an expenditure” and insert-
 21 ing “a disbursement”;

22 (2) in the matter before paragraph (1) of sub-
 23 section (a), by striking “direct”;

1 (3) in paragraph (3) of subsection (a), by in-
2 serting after “name” the following “and permanent
3 street address”; and

4 (4) by adding at the end the following new sub-
5 sections:

6 “(c) Any printed communication described in sub-
7 section (a) shall be—

8 “(1) of sufficient type size to be clearly read-
9 able by the recipient of the communication;

10 “(2) contained in a printed box set apart from
11 the other contents of the communication; and

12 “(3) consist of a reasonable degree of color con-
13 trast between the background and the printed state-
14 ment.

15 “(d)(1) Any broadcast or cablecast communication
16 described in subsection (a)(1) or subsection (a)(2) shall
17 include, in addition to the requirements of those sub-
18 sections an audio statement by the candidate that identi-
19 fies the candidate and states that the candidate has ap-
20 proved the communication.

21 “(2) If a broadcast or cablecast communication de-
22 scribed in paragraph (1) is broadcast or cablecast by
23 means of television, the statement required by paragraph
24 (1) shall—

1 “(A) appear in a clearly readable manner
 2 with a reasonable degree of color contrast be-
 3 tween the background and the printed state-
 4 ment, for a period of at least 4 seconds; and

5 “(B) be accompanied by a clearly identifi-
 6 able photographic or similar image of the can-
 7 didate.

8 “(e) Any broadcast or cablecast communication de-
 9 scribed in subsection (a)(3) shall include, in addition to
 10 the requirements of those subsections, in a clearly spoken
 11 manner, the following statement—

12 ‘ is responsible for the content of
 13 this advertisement.’

14 with the blank to be filled in with the name of the political
 15 committee or other person paying for the communication
 16 and the name of any connected organization of the payor;
 17 and, if broadcast or cablecast by means of television, shall
 18 also appear in a clearly readable manner with a reasonable
 19 degree of color contrast between the background and the
 20 printed statement, for a period of at least 4 seconds.”.

21 **SEC. 135. DEFINITIONS.**

22 (a) IN GENERAL.—Section 301 of FECA (2 U.S.C.
 23 431) is amended by striking paragraph (19) and inserting
 24 the following new paragraphs:

1 “(19) The term ‘eligible Senate candidate’ means a
2 candidate who is eligible under section 502 to receive bene-
3 fits under title V.

4 “(20) The term ‘general election’ means any election
5 which will directly result in the election of a person to a
6 Federal office, but does not include an open primary elec-
7 tion.

8 “(21) The term ‘general election period’ means, with
9 respect to any candidate, the period beginning on the day
10 after the date of the primary or runoff election for the
11 specific office the candidate is seeking, whichever is later,
12 and ending on the earlier of—

13 “(A) the date of such general election; or

14 “(B) the date on which the candidate withdraws
15 from the campaign or otherwise ceases actively to
16 seek election.

17 “(22) The term ‘immediate family’ means—

18 “(A) a candidate’s spouse;

19 “(B) a child, stepchild, parent, grandparent,
20 brother, half-brother, sister or half-sister of the can-
21 didate or the candidate’s spouse; and

22 “(C) the spouse of any person described in sub-
23 paragraph (B).

24 “(23) The term ‘major party’ has the meaning given
25 such term in section 9002(6) of the Internal Revenue Code

1 of 1986, except that if a candidate qualified under State
2 law for the ballot in a general election in an open primary
3 in which all the candidates for the office participated and
4 which resulted in the candidate and at least one other can-
5 didate qualifying for the ballot in the general election,
6 such candidate shall be treated as a candidate of a major
7 party for purposes of title V.

8 “(24) The term ‘primary election’ means an election
9 which may result in the selection of a candidate for the
10 ballot in a general election for a Federal office.

11 “(25) The term ‘primary election period’ means, with
12 respect to any candidate, the period beginning on the day
13 following the date of the last election for the specific office
14 the candidate is seeking and ending on the earlier of—

15 “(A) the date of the first primary election for
16 that office following the last general election for that
17 office; or

18 “(B) the date on which the candidate withdraws
19 from the election or otherwise ceases actively to seek
20 election.

21 “(26) The term ‘runoff election’ means an election
22 held after a primary election which is prescribed by appli-
23 cable State law as the means for deciding which candidate
24 will be on the ballot in the general election for a Federal
25 office.

1 “(27) The term ‘runoff election period’ means, with
2 respect to any candidate, the period beginning on the day
3 following the date of the last primary election for the spe-
4 cific office such candidate is seeking and ending on the
5 date of the runoff election for such office.

6 “(28) The term ‘voting age population’ means the
7 resident population, 18 years of age or older, as certified
8 pursuant to section 315(e).

9 “(29) The term ‘eligible House of Representatives
10 candidate’ means a candidate for election to the office of
11 Representative in, or Delegate or Resident Commissioner
12 to, the Congress, who, as determined by the Commission
13 under section 602, is eligible to receive matching payments
14 and other benefits under title VI by reason of filing a
15 statement of participation and complying with the con-
16 tinuing eligibility requirements under section 602.

17 “(30) The term ‘election cycle’ means—

18 “(A) in the case of a candidate or the author-
19 ized committees of a candidate, the term beginning
20 on the day after the date of the most recent general
21 election for the specific office or seat which such
22 candidate seeks and ending on the date of the next
23 general election for such office or seat; or

24 “(B) for all other persons, the term beginning
25 on the first day following the date of the last general

1 election and ending on the date of the next general
2 election.”.

3 (b) IDENTIFICATION.—Section 301(13) of FECA (2
4 U.S.C. 431(13)) is amended by striking “mailing address”
5 and inserting “permanent residence address”.

6 **SEC. 136. PROVISIONS RELATING TO FRANKED MASS**
7 **MAILINGS.**

8 (a) MASS MAILINGS OF SENATORS.—Section
9 3210(a)(6) of title 39, United States Code, is amended—

10 (1) in subparagraph (A), by striking “It is
11 the intent of Congress that a Member of, or a Mem-
12 ber-elect to, Congress” and inserting “A Member of,
13 or Member-elect to, the House”; and

14 (2) in subparagraph (C)—

15 (A) by striking “if such mass mailing is
16 postmarked fewer than 60 days immediately be-
17 fore the date” and inserting “if such mass mail-
18 ing is postmarked during the calendar year”;
19 and

20 (B) by inserting “or reelection” imme-
21 diately before the period.

22 (b) MASS MAILINGS OF HOUSE MEMBERS.—Sec-
23 tion 3210 of title 39, United States Code, is amended—

1 (1) in subsection (a)(7), by striking “, except
2 that—” and all that follows through the end of sub-
3 paragraph (B) and inserting a period; and

4 (2) in subsection (d)(1), by striking “deliv-
5 ery—” and all that follows through the end of sub-
6 paragraph (B) and inserting “delivery within that
7 area constituting the congressional district or State
8 from which the Member was elected.”.

9 (c) PROHIBITION ON USE OF OFFICIAL FUNDS.—
10 The Committee on House Administration of the House of
11 Representatives may not approve any payment, nor may
12 a Member of the House of Representatives make any ex-
13 penditure from, any allowance of the House of Represent-
14 atives or any other official funds if any portion of the pay-
15 ment or expenditure is for any cost related to a mass mail-
16 ing by a Member of the House of Representatives outside
17 the congressional district of the Member.

18 **TITLE II—INDEPENDENT** 19 **EXPENDITURES**

20 **SEC. 201. CLARIFICATION OF DEFINITIONS RELATING TO** 21 **INDEPENDENT EXPENDITURES.**

22 (a) INDEPENDENT EXPENDITURE DEFINITION
23 AMENDMENT.—Section 301 of FECA (2 U.S.C. 431) is
24 amended by striking paragraphs (17) and (18) and insert-
25 ing the following:

1 “(17)(A) The term ‘independent expenditure’ means
2 an expenditure for an advertisement or other communica-
3 tion that—

4 “(i) contains express advocacy; and

5 “(ii) is made without the participation or co-
6 operation of a candidate or a candidate’s representa-
7 tive.

8 “(B) The following shall not be considered an inde-
9 pendent expenditure:

10 “(i) An expenditure made by a political commit-
11 tee of a political party.

12 “(ii) An expenditure made by a person who,
13 during the election cycle, has communicated with or
14 received information from a candidate or a rep-
15 resentative of that candidate regarding activities
16 that have the purpose of influencing that candidate’s
17 election to Federal office, where the expenditure is
18 in support of that candidate or in opposition to an-
19 other candidate for that office.

20 “(iii) An expenditure if there is any arrange-
21 ment, coordination, or direction with respect to the
22 expenditure between the candidate or the candidate’s
23 agent and the person making the expenditure.

1 “(iv) An expenditure if, in the same election
2 cycle, the person making the expenditure is or has
3 been—

4 “(I) authorized to raise or expend funds on
5 behalf of the candidate or the candidate’s au-
6 thorized committees; or

7 “(II) serving as a member, employee, or
8 agent of the candidate’s authorized committees
9 in an executive or policymaking position.

10 “(v) An expenditure if the person making the
11 expenditure has advised or counseled the candidate
12 or the candidate’s agents at any time on the can-
13 didate’s plans, projects, or needs relating to the can-
14 didate’s pursuit of nomination for election, or elec-
15 tion, to Federal office, in the same election cycle, in-
16 cluding any advice relating to the candidate’s deci-
17 sion to seek Federal office.

18 “(vi) An expenditure if the person making the
19 expenditure retains the professional services of any
20 individual or other person also providing those serv-
21 ices in the same election cycle to the candidate in
22 connection with the candidate’s pursuit of nomina-
23 tion for election, or election, to Federal office, in-
24 cluding any services relating to the candidate’s deci-
25 sion to seek Federal office.

1 “(vii) An expenditure if the person making the
2 expenditure has consulted at any time during the
3 same election cycle about the candidate’s plans,
4 projects, or needs relating to the candidate’s pursuit
5 of nomination for election, or election, to Federal of-
6 fice, with—

7 “(I) any officer, director, employee or
8 agent of a party committee that has made or
9 intends to make expenditures or contributions,
10 pursuant to subsections (a), (d), or (h) of sec-
11 tion 315 in connection with the candidate’s
12 campaign; or

13 “(II) any person whose professional serv-
14 ices have been retained by a political party com-
15 mittee that has made or intends to make ex-
16 penditures or contributions pursuant to sub-
17 sections (a), (d), or (h) of section 315 in con-
18 nection with the candidate’s campaign.

19 For purposes of this subparagraph, the person making the
20 expenditure shall include any officer, director, employee,
21 or agent of such person.

22 “(18) The term ‘express advocacy’ means, when a
23 communication is taken as a whole, an expression of sup-
24 port for or opposition to a specific candidate, to a specific
25 group of candidates, or to candidates of a particular politi-

1 cal party, or a suggestion to take action with respect to
 2 an election, such as to vote for or against, make contribu-
 3 tions to, or participate in campaign activity.”.

4 (b) CONTRIBUTION DEFINITION AMENDMENT.—Sec-
 5 tion 301(8)(A) of FECA (2 U.S.C. 431(8)(A)) is amend-
 6 ed—

7 (1) in clause (i), by striking “or” after the
 8 semicolon at the end;

9 (2) in clause (ii), by striking the period at the
 10 end and inserting “; or”; and

11 (3) by adding at the end the following new
 12 clause:

13 “(iii) any payment or other transaction referred
 14 to in paragraph (17)(A)(i) that does not qualify as
 15 an independent expenditure under paragraph
 16 (17)(A)(ii).”.

17 **TITLE III—EXPENDITURES**

18 **Subtitle A—Personal Loans; Credit**

19 **SEC. 301. PERSONAL CONTRIBUTIONS AND LOANS.**

20 Section 315 of FECA (2 U.S.C. 441a), as amended
 21 by section 122, is amended by adding at the end the fol-
 22 lowing new subsection:

23 “(k) LIMITATIONS ON PAYMENTS TO CANDIDATES.—

24 (1) If a candidate or a member of the candidate’s imme-
 25 diate family made any loans to the candidate or to the

1 candidate's authorized committees during any election
 2 cycle, no contributions after the date of the general elec-
 3 tion for such election cycle may be used to repay such
 4 loans.

5 “(2) No contribution by a candidate or member of
 6 the candidate's immediate family may be returned to the
 7 candidate or member other than as part of a pro rata dis-
 8 tribution of excess contributions to all contributors.”.

9 **SEC. 302. EXTENSIONS OF CREDIT.**

10 Section 301(8)(A) of FECA (2 U.S.C. 431(8)(A)), as
 11 amended by section 201(b), is amended—

12 (1) by striking “or” at the end of clause (ii);

13 (2) by striking the period at the end of clause

14 (iii) and inserting “; or”; and

15 (3) by inserting at the end the following new
 16 clause:

17 “(iv) with respect to a candidate and the
 18 candidate's authorized committees, any exten-
 19 sion of credit for goods or services relating to
 20 advertising on broadcasting stations, in news-
 21 papers or magazines, or by mailings, or relating
 22 to other similar types of general public political
 23 advertising, if such extension of credit is—

24 “(I) in an amount of more than
 25 \$1,000; and

“(II) for a period greater than the period, not in excess of 60 days, for which credit is generally extended in the normal course of business after the date on which such goods or services are furnished or the date of the mailing in the case of advertising by a mailing.”.

Subtitle B—Provisions Relating to Soft Money of Political Parties

SEC. 311. CONTRIBUTIONS TO POLITICAL PARTY COMMITTEES.

(a) INDIVIDUAL CONTRIBUTIONS TO STATE PARTY.—Paragraph (1) of section 315(a) of FECA (2 U.S.C. 441a(a)(1)) is amended by striking “or” at the end of subparagraph (B), by redesignating subparagraph (C) as subparagraph (D), and by inserting after subparagraph (B) the following new subparagraph:

“(C) to political committees established and maintained by a State committee of a political party in any calendar year which, in the aggregate, exceed \$10,000; or”.

(b) MULTICANDIDATE COMMITTEE CONTRIBUTIONS TO STATE PARTY.—Paragraph (2) of section 315(a) of FECA (2 U.S.C. 441a(a)(2)) is amended by striking “or” at the end of subparagraph (B), by redesignating subpara-

1 graph (C) as subparagraph (D), and by inserting after
 2 subparagraph (B) the following new subparagraph:

3 “(C) to political committees established and
 4 maintained by a State committee of a political party
 5 in any calendar year which, in the aggregate, exceed
 6 \$10,000; or”.

7 (c) INCREASE IN OVERALL LIMIT.—Paragraph (3) of
 8 section 315(a) of FECA (2 U.S.C. 441a(a)(3)) is amended
 9 by adding at the end thereof the following new sentence:
 10 “The limitation under this paragraph shall be increased
 11 (but not by more than \$5,000) by the amount of contribu-
 12 tions made by an individual during a calendar year to po-
 13 litical committees which are taken into account for pur-
 14 poses of paragraph (1)(C).”.

15 **SEC. 312. PROVISIONS RELATING TO NATIONAL, STATE,**
 16 **AND LOCAL PARTY COMMITTEES.**

17 (a) EXPENDITURES BY STATE COMMITTEES IN CON-
 18 NECTION WITH PRESIDENTIAL CAMPAIGNS.—Section
 19 315(d) of FECA (2 U.S.C. 441a(d)) is amended by insert-
 20 ing at the end thereof the following new paragraph:

21 “(4) A State committee of a political party, including
 22 subordinate committees of that State committee, shall not
 23 make expenditures in connection with the general election
 24 campaign of a candidate for President of the United
 25 States who is affiliated with such party which, in the ag-

1 gregate, exceed an amount equal to 4 cents multiplied by
 2 the voting age population of the State, as certified under
 3 subsection (e). This paragraph shall not authorize a com-
 4 mittee to make expenditures for audio broadcasts (includ-
 5 ing television broadcasts) in excess of the amount which
 6 could have been made without regard to this paragraph.”.

7 (b) CONTRIBUTION AND EXPENDITURE EXCEP-
 8 TIONS.—(1) Section 301(8)(B) of FECA (2 U.S.C.
 9 431(8)(B)) is amended—

10 (A) in clause (xi), by striking “direct mail” and
 11 inserting “mail”; and

12 (B) by repealing clauses (x) and (xii).

13 (2) Section 301(9)(B) of FECA (2 U.S.C.
 14 431(9)(B)) is amended by repealing clauses (viii) and (ix).

15 (c) SOFT MONEY OF COMMITTEES OF POLITICAL
 16 PARTIES.—(1) Title III of FECA is amended by inserting
 17 after section 323 the following new section:

18 “POLITICAL PARTY COMMITTEES

19 “SEC. 324. (a) Any amount solicited, received, or ex-
 20 pended directly or indirectly by a national, State, district,
 21 or local committee of a political party (including any sub-
 22 ordinate committee) with respect to an activity which, in
 23 whole or in part, is in connection with an election to Fed-
 24 eral office shall be subject in its entirety to the limitations,
 25 prohibitions, and reporting requirements of this Act.

26 “(b) For purposes of subsection (a)—

1 “(1) Any activity which is solely for the purpose
2 of influencing an election for Federal office is in
3 connection with an election for Federal office.

4 “(2) Except as provided in paragraph (3), any
5 of the following activities during a Federal election
6 period shall be treated as in connection with an elec-
7 tion for Federal office:

8 “(A) Voter registration and get-out-the-
9 vote activities.

10 “(B) Campaign activities, including broad-
11 casting, newspaper, magazine, billboard, mass
12 mail, and newsletter communications, and simi-
13 lar kinds of communications or public advertis-
14 ing that—

15 “(i) are generic campaign activities; or

16 “(ii) identify a Federal candidate re-
17 gardless of whether a State or local can-
18 didate is also identified.

19 “(C) The preparation and dissemination of
20 campaign materials that are part of a generic
21 campaign activity or that identify a Federal
22 candidate, regardless of whether a State or
23 local candidate is also identified.

24 “(D) Development and maintenance of
25 voter files.

1 “(E) Any other activity affecting (in whole
2 or in part) an election for Federal office.

3 “(3) The following shall not be treated as in
4 connection with a Federal election:

5 “(A) Any amount described in section
6 301(8)(B)(viii).

7 “(B) Any amount contributed to a can-
8 didate for other than Federal office.

9 “(C) Any amount received or expended in
10 connection with a State or local political con-
11 vention.

12 “(D) Campaign activities, including broad-
13 casting, newspaper, magazine, billboard, mass
14 mail, and newsletter communications, and simi-
15 lar kinds of communications or public advertis-
16 ing that are exclusively on behalf of State or
17 local candidates and are not activities described
18 in paragraph (2)(A).

19 “(E) Administrative expenses of a State or
20 local committee of a political party, including
21 expenses for—

22 “(i) overhead;

23 “(ii) staff (other than individuals de-
24 voting a substantial portion of their activi-
25 ties to elections for Federal office);

1 “(iii) meetings; and

2 “(iv) conducting party elections or
3 caucuses.

4 “(F) Research pertaining solely to State
5 and local candidates and issues.

6 “(G) Development and maintenance of
7 voter files other than during a Federal election
8 period.

9 “(H) Activities described in paragraph
10 (2)(A) which are conducted other than during
11 a Federal election period.

12 “(I) Any other activity which is solely for
13 the purpose of influencing, and which solely af-
14 fects, an election for non-Federal office.

15 “(4) For purposes of this subsection, the term
16 ‘Federal election period’ means the period—

17 “(A) beginning on June 1, of any even-
18 numbered calendar year (April 1 if an election
19 to the office of President occurs in such year),
20 and

21 “(B) ending on the date during such year
22 on which regularly scheduled general elections
23 for Federal office occur.

1 In the case of a special election, the Federal election
2 period shall include at least the 60-day period end-
3 ing on the date of the election.

4 “(c) SOLICITATION OF COMMITTEES.—(1) A national
5 committee of a political party may not solicit or accept
6 contributions not subject to the limitations, prohibitions,
7 and reporting requirements of this Act.

8 “(2) Paragraph (1) shall not apply to contributions
9 that—

10 “(A) are to be transferred to a State committee
11 of a political party for use directly for activities de-
12 scribed in subsection (b)(3); or

13 “(B) are to be used by the committee primarily
14 to support such activities.

15 “(d) AMOUNTS RECEIVED FROM STATE AND LOCAL
16 CANDIDATE COMMITTEES.—(1) For purposes of sub-
17 section (a), any amount received by a national, State, dis-
18 trict, or local committee of a political party (including any
19 subordinate committee) from a State or local candidate
20 committee shall be treated as meeting the requirements
21 of subsection (a) and section 304(d) if—

22 “(A) such amount is derived from funds which
23 meet the requirements of this Act with respect to
24 any limitation or prohibition as to source or dollar
25 amount, and

1 “(B) the State or local candidate committee—

2 “(i) maintains, in the account from which
3 payment is made, records of the sources and
4 amounts of funds for purposes of determining
5 whether such requirements are met, and

6 “(ii) certifies to the other committee that
7 such requirements were met.

8 “(2) Notwithstanding paragraph (1), any committee
9 receiving any contribution described in paragraph (1) from
10 a State or local candidate committee shall be required to
11 meet the reporting requirements of this Act with respect
12 to receipt of the contribution from such candidate commit-
13 tee.

14 “(3) For purposes of this subsection, a State or local
15 candidate committee is a committee established, financed,
16 maintained, or controlled by a candidate for other than
17 Federal office.”.

18 (2) Section 315(d) of FECA (2 U.S.C. 441a(d)), as
19 amended by subsection (a), is amended by adding at the
20 end thereof the following new paragraph:

21 “(5)(A) The national committee of a political
22 party, the congressional campaign committees of a
23 political party, and a State or local committee of a
24 political party, including a subordinate committee of
25 any of the preceding committees, shall not make ex-

1 penditures during any calendar year for activities
2 described in section 324(b)(2) with respect to such
3 State which, in the aggregate, exceed an amount
4 equal to 30 cents multiplied by the voting age popu-
5 lation of the State (as certified under subsection
6 (e)).

7 “(B) Expenditures authorized under this para-
8 graph shall be in addition to other expenditures al-
9 lowed under this subsection, except that this para-
10 graph shall not authorize a committee to make ex-
11 penditures to which paragraph (3) or (4) applies in
12 excess of the limit applicable to such expenditures
13 under paragraph (3) or (4).

14 “(C) No adjustment to the limitation under this
15 paragraph shall be made under subsection (c) before
16 1992 and the base period for purposes of any such
17 adjustment shall be 1990.

18 “(D) For purposes of this paragraph—

19 “(i) a local committee of a political party
20 shall only include a committee that is a political
21 committee (as defined in section 301(4)); and

22 “(ii) a State committee shall not be re-
23 quired to record or report under this Act the
24 expenditures of any other committee which are

1 made independently from the State commit-
2 tee.”.

3 (3) Section 301(4) of FECA (2 U.S.C. 431(4))
4 is amended by adding at the end the following new
5 sentence:

6 “For purposes of subparagraph (C), any pay-
7 ments for get-out-the-vote activities on behalf of
8 candidates for office other than Federal office
9 shall be treated as payments exempted from the
10 definition of expenditure under paragraph (9)
11 of this section.”.

12 (d) GENERIC ACTIVITIES.—Section 301 of FECA (2
13 U.S.C. 431), as amended by section 135, is amended by
14 adding at the end thereof the following new paragraph:

15 “(31) The term ‘generic campaign activity’
16 means a campaign activity the preponderant purpose
17 or effect of which is to promote a political party
18 rather than any particular Federal or non-Federal
19 candidate.”.

20 **SEC. 313. RESTRICTIONS ON FUNDRAISING BY CANDIDATES**
21 **AND OFFICEHOLDERS.**

22 (a) STATE FUNDRAISING ACTIVITIES.—Section 315
23 of FECA (2 U.S.C. 441a), as amended by section 301,
24 is amended by adding at the end thereof the following new
25 subsection:

1 “(l) LIMITATIONS ON FUNDRAISING ACTIVITIES OF
2 FEDERAL CANDIDATES AND OFFICEHOLDERS AND CER-
3 TAIN POLITICAL COMMITTEES.—(1) For purposes of this
4 Act, a candidate for Federal office (or an individual hold-
5 ing Federal office) may not solicit funds to, or receive
6 funds on behalf of, any Federal or non-Federal candidate
7 or political committee—

8 “(A) which are to be expended in connection
9 with any election for Federal office unless such
10 funds are subject to the limitations, prohibitions,
11 and requirements of this Act; or

12 “(B) which are to be expended in connection
13 with any election for other than Federal office unless
14 such funds are not in excess of amounts permitted
15 with respect to Federal candidates and political com-
16 mittees under this Act, and are not from sources
17 prohibited by this Act with respect to elections to
18 Federal office.

19 “(2)(A) The aggregate amount which a person de-
20 scribed in subparagraph (B) may solicit from a
21 multicandidate political committee for State committees
22 described in subsection (a)(1)(C) (including subordinate
23 committees) for any calendar year shall not exceed the dol-
24 lar amount in effect under subsection (a)(2)(B) for the
25 calendar year.

1 “(B) A person is described in this subparagraph if
2 such person is a candidate for Federal office, an individual
3 holding Federal office, or any national, State, district, or
4 local committee of a political party (including subordinate
5 committees).

6 “(3) The appearance or participation by a candidate
7 or individual in any activity (including fundraising) con-
8 ducted by a committee of a political party or a candidate
9 for other than Federal office shall not be treated as a so-
10 licitation for purposes of paragraph (1) if—

11 “(A) such appearance or participation is other-
12 wise permitted by law; and

13 “(B) such candidate or individual does not so-
14 licit or receive, or make expenditures from, any
15 funds resulting from such activity.

16 “(4) Paragraph (1) shall not apply to the solicitation
17 or receipt of funds, or disbursements, by an individual who
18 is a candidate for other than Federal office if such activity
19 is permitted under State law.

20 “(5) For purposes of this subsection, an individual
21 shall be treated as holding Federal office if such individual
22 is described in section 101(f) of the Ethics in Government
23 Act of 1978.”.

24 (b) TAX-EXEMPT ORGANIZATIONS.—Section 315 of
25 FECA (2 U.S.C. 441a), as amended by subsection (a),

1 is amended by adding at the end thereof the following new
2 subsection:

3 “(m) TAX-EXEMPT ORGANIZATIONS.—(1) If during
4 any period an individual is a candidate for, or holds, Fed-
5 eral office, such individual may not during such period so-
6 licit contributions to, or on behalf of, any organization
7 which is described in section 501(c) of the Internal Reve-
8 nue Code of 1986 if a significant portion of the activities
9 of such organization include voter registration or get-out-
10 the-vote campaigns.

11 “(2) For purposes of this subsection, an individual
12 shall be treated as holding Federal office if such individual
13 is described in section 101(f) of the Ethics in Government
14 Act of 1978.”.

15 **SEC. 314. REPORTING REQUIREMENTS.**

16 (a) REPORTING REQUIREMENTS.—Section 304 of
17 FECA (2 U.S.C. 434) is amended by adding at the end
18 thereof the following new subsection:

19 “(d) POLITICAL COMMITTEES.—(1) The national
20 committee of a political party and any congressional cam-
21 paign committee, and any subordinate committee of ei-
22 ther, shall report all receipts and disbursements during
23 the reporting period, whether or not in connection with
24 an election for Federal office.

1 “(2) A political committee (not described in para-
2 graph (1)) to which section 324 applies shall report all
3 receipts and disbursements in connection with a Federal
4 election (as determined under section 324).

5 “(3) Any political committee to which section 324 ap-
6 plies shall include in its report under paragraph (1) or
7 (2) the amount of any transfer described in section 324(c)
8 and the reason for the transfer.

9 “(4) Any political committee to which paragraph (1)
10 or (2) does not apply shall report any receipts or disburse-
11 ments which are used in connection with a Federal
12 election.

13 “(5) If any receipt or disbursement to which this sub-
14 section applies exceeds \$200, the political committee shall
15 include identification of the person from whom, or to
16 whom, such receipt or disbursement was made.

17 “(6) Reports required to be filed by this subsection
18 shall be filed for the same time periods required for politi-
19 cal committees under subsection (a).”.

20 (b) REPORT OF EXEMPT CONTRIBUTIONS.—Section
21 301(8) of the Federal Election Campaign Act of 1971 (2
22 U.S.C. 431(8)) is amended by inserting at the end thereof
23 the following:

24 “(C) The exclusions provided in clauses (v)
25 and (viii) of subparagraph (B) shall not apply

1 for purposes of any requirement to report con-
2 tributions under this Act, and all such contribu-
3 tions in excess of \$200 shall be reported.”.

4 (c) REPORTING OF EXEMPT EXPENDITURES.—Sec-
5 tion 301(9) of the Federal Election Campaign Act of 1971
6 (2 U.S.C. 431(9)) is amended by inserting at the end
7 thereof the following:

8 “(C) The exclusions provided in clause (iv)
9 of subparagraph (B) shall not apply for pur-
10 poses of any requirement to report expenditures
11 under this Act, and all such expenditures in ex-
12 cess of \$200 shall be reported.”.

13 (d) CONTRIBUTIONS AND EXPENDITURES OF POLITI-
14 CAL COMMITTEES.—Section 301(4) of FECA (2 U.S.C.
15 431(4)) is amended by adding at the end the following:
16 “For purposes of this paragraph, the receipt of contribu-
17 tions or the making of, or obligating to make, expenditures
18 shall be determined by the Commission on the basis of
19 facts and circumstances, in whatever combination, dem-
20 onstrating a purpose of influencing any election for Fed-
21 eral office, including, but not limited to, the representa-
22 tions made by any person soliciting funds about their in-
23 tended uses; the identification by name of individuals who
24 are candidates for Federal office or of any political party,
25 in general public political advertising; and the proximity

1 to any primary, runoff, or general election of general pub-
 2 lic political advertising designed or reasonably calculated
 3 to influence voter choice in that election.”.

4 (e) REPORTS BY STATE COMMITTEES.—Section 304
 5 of FECA (2 U.S.C. 434), as amended by subsection (a),
 6 is amended by adding at the end thereof the following new
 7 subsection:

8 “(e) FILING OF STATE REPORTS.—In lieu of any re-
 9 port required to be filed by this Act, the Commission may
 10 allow a State committee of a political party to file with
 11 the Commission a report required to be filed under State
 12 law if the Commission determines such reports contain
 13 substantially the same information.”.

14 **TITLE IV—CONTRIBUTIONS**

15 **SEC. 401. CONTRIBUTIONS THROUGH INTERMEDIARIES** 16 **AND CONDUITS.**

17 Section 315(a)(8) of FECA (2 U.S.C. 441a(a)(8)) is
 18 amended to read as follows:

19 “(8) For the purposes of this subsection:

20 “(A) Contributions made by a person, either di-
 21 rectly or indirectly, to or on behalf of a particular
 22 candidate, including contributions that are in any
 23 way earmarked or otherwise directed through an
 24 intermediary or conduit to a candidate, shall be

1 treated as contributions from the person to the can-
2 didate.

3 “(B) Contributions made directly or indirectly
4 by a person to or on behalf of a particular candidate
5 through an intermediary or conduit, including con-
6 tributions made or arranged to be made by an
7 intermediary or conduit, shall be treated as contribu-
8 tions from the intermediary or conduit to the can-
9 didate if—

10 “(i) the contributions made through the
11 intermediary or conduit are in the form of a
12 check or other negotiable instrument made pay-
13 able to the intermediary or conduit rather than
14 the intended recipient; or

15 “(ii) the intermediary or conduit is—

16 “(I) a political committee with a con-
17 nected organization;

18 “(II) an officer, employee, or agent of
19 such a political committee;

20 “(III) a political party;

21 “(IV) a partnership or sole proprietor-
22 ship;

23 “(V) a person required to register
24 under section 308 of the Federal Regula-
25 tion of Lobbying Act (2 U.S.C. 267) or the

1 Foreign Agents Registration Act of 1938
2 (22 U.S.C. 611 et seq.); or

3 “(VI) an organization prohibited from
4 making contributions under section 316, or
5 an officer, employee, or agent of such an
6 organization acting on the organization’s
7 behalf.

8 “(C)(i) The term ‘intermediary or conduit’ does
9 not include—

10 “(I) a candidate or representative of a can-
11 didate receiving contributions to the candidate’s
12 principal campaign committee or authorized
13 committee;

14 “(II) a professional fundraiser com-
15 pensated for fundraising services at the usual
16 and customary rate;

17 “(III) a volunteer hosting a fundraising
18 event at the volunteer’s home, in accordance
19 with section 301(8)(B); or

20 “(IV) an individual who transmits a con-
21 tribution from the individual’s spouse.

22 “(ii) The term ‘representative’ means an indi-
23 vidual who is expressly authorized by the candidate
24 to engage in fundraising, and who occupies a signifi-
25 cant position within the candidate’s campaign orga-

1 nization, provided that the individual is not de-
2 scribed in subparagraph (B)(ii).

3 “(iii) The term ‘contributions made or arranged
4 to be made’ includes—

5 “(I) contributions delivered to a particular
6 candidate or the candidate’s authorized commit-
7 tee or agent; and

8 “(II) contributions directly or indirectly ar-
9 ranged to be made to a particular candidate or
10 the candidate’s authorized committee or agent,
11 in a manner that identifies directly or indirectly
12 to the candidate or authorized committee or
13 agent the person who arranged the making of
14 the contributions or the person on whose behalf
15 such person was acting.

16 “(iv) The term ‘acting on the organization’s be-
17 half’ includes the following activities by an officer,
18 employee or agent of a person described in subpara-
19 graph (B)(ii)(IV):

20 “(I) Soliciting or directly or indirectly ar-
21 ranging the making of a contribution to a par-
22 ticular candidate in the name of, or by using
23 the name of, such a person.

24 “(II) Soliciting or directly or indirectly ar-
25 ranging the making of a contribution to a par-

1 ticular candidate using other than incidental re-
2 sources of such a person.

3 “(III) Soliciting contributions for a par-
4 ticular candidate by substantially directing the
5 solicitations to other officers, employees, or
6 agents of such a person.

7 “(D) Nothing in this paragraph shall prohibit—

8 “(i) bona fide joint fundraising efforts con-
9 ducted solely for the purpose of sponsorship of
10 a fundraising reception, dinner, or other similar
11 event, in accordance with rules prescribed by
12 the Commission, by—

13 “(I) 2 or more candidates;

14 “(II) 2 or more national, State, or
15 local committees of a political party within
16 the meaning of section 301(4) acting on
17 their own behalf; or

18 “(III) a special committee formed by
19 2 or more candidates, or a candidate and
20 a national, State, or local committee of a
21 political party acting on their own behalf;
22 or

23 “(ii) fundraising efforts for the benefit of
24 a candidate that are conducted by another can-
25 didate.

1 “(iii) bona fide fundraising efforts con-
2 ducted by and solely on behalf of an individual
3 for the purpose of sponsorship of a fundraising
4 reception, dinner, or other similar event, but
5 only if all contributions are made directly to a
6 candidate or a representative of a candidate.

7 When a contribution is made to a candidate through an
8 intermediary or conduit, the intermediary or conduit shall
9 report the original source and the intended recipient of
10 the contribution to the Commission and to the intended
11 recipient.”.

12 **SEC. 402. CONTRIBUTIONS BY DEPENDENTS NOT OF VOT-**
13 **ING AGE.**

14 Section 315 of FECA (2 U.S.C. 441a), as amended
15 by section 313(b), is amended by adding at the end the
16 following new subsection:

17 “(n) For purposes of this section, any contribution
18 by an individual who—

19 “(1) is a dependent of another individual, and

20 “(2) has not, as of the time of such contribu-
21 tion, attained the legal age for voting for elections
22 to Federal office in the State in which such individ-
23 ual resides,

24 shall be treated as having been made by such other indi-
25 vidual. If such individual is the dependent of another indi-

vidual and such other individual's spouse, the contribution shall be allocated among such individuals in the manner determined by them.”.

**SEC. 403. CONTRIBUTIONS TO CANDIDATES FROM STATE
AND LOCAL COMMITTEES OF POLITICAL PARTIES
TO BE AGGREGATED.**

Section 315(a) of FECA (2 U.S.C. 441a(a)) is amended by adding at the end the following new paragraph:

“(9) A candidate for Federal office may not accept, with respect to an election, any contribution from a State or local committee of a political party (including any subordinate committee of such committee), if such contribution, when added to the total of contributions previously accepted from all such committees of that political party, exceeds a limitation on contributions to a candidate under this section.”.

**SEC. 404. LIMITED EXCLUSION OF ADVANCES BY CAMPAIGN WORKERS FROM THE DEFINITION OF
THE TERM “CONTRIBUTION”.**

Section 301(8)(B) of FECA (2 U.S.C. 431(8)(B)) is amended—

(1) in clause (xiii), by striking “and” after the semicolon at the end;

1 (2) in clause (xiv), by striking the period at the
 2 end and inserting: “; and”; and

3 (3) by adding at the end the following new
 4 clause:

5 “(xv) any advance voluntarily made on behalf of
 6 an authorized committee of a candidate by an indi-
 7 vidual in the normal course of such individual’s re-
 8 sponsibilities as a volunteer for, or employee of, the
 9 committee, if the advance is reimbursed by the com-
 10 mittee within 10 days after the date on which the
 11 advance is made, and the value of advances on be-
 12 half of a committee does not exceed \$500 with re-
 13 spect to an election.”.

14 **TITLE V—REPORTING** 15 **REQUIREMENTS**

16 **SEC. 501. CHANGE IN CERTAIN REPORTING FROM A CAL-**
 17 **ENDAR YEAR BASIS TO AN ELECTION CYCLE**
 18 **BASIS.**

19 Paragraphs (2) through (7) of section 304(b) of
 20 FECA (2 U.S.C. 434(b)(2)–(7)) are amended by inserting
 21 after “calendar year” each place it appears the following:
 22 “(election cycle, in the case of an authorized committee
 23 of a candidate for Federal office)”.

1 **SEC. 502. PERSONAL AND CONSULTING SERVICES.**

2 Section 304(b)(5)(A) of FECA (2 U.S.C.
3 434(b)(5)(A)) is amended by adding before the semicolon
4 at the end the following: “, except that if a person to
5 whom an expenditure is made is merely providing personal
6 or consulting services and is in turn making expenditures
7 to other persons (not including employees) who provide
8 goods or services to the candidate or his or her authorized
9 committees, the name and address of such other person,
10 together with the date, amount and purpose of such ex-
11 penditure shall also be disclosed”.

12 **SEC. 503. REDUCTION IN THRESHOLD FOR REPORTING OF**
13 **CERTAIN INFORMATION BY PERSONS OTHER**
14 **THAN POLITICAL COMMITTEES.**

15 Section 304(b)(3)(A) of FECA (2 U.S.C.
16 434(b)(3)(A)) is amended by striking “\$200” and insert-
17 ing “\$50”.

18 **SEC. 504. COMPUTERIZED INDICES OF CONTRIBUTIONS.**

19 Section 311(a) of FECA (2 U.S.C. 438(a)) is amend-
20 ed—

21 (1) by striking “and” at the end of paragraph
22 (9);

23 (2) by striking the period at the end of para-
24 graph (10) and inserting “; and”; and

25 (3) by adding at the end the following new
26 paragraph:

1 “(11) maintain computerized indices of con-
 2 tributions of \$50 or more.”.

3 **TITLE VI—FEDERAL ELECTION** 4 **COMMISSION**

5 **SEC. 601. USE OF CANDIDATES’ NAMES.**

6 Section 302(e)(4) of FECA (2 U.S.C. 432(e)(4)) is
 7 amended to read as follows:

8 “(4)(A) The name of each authorized committee shall
 9 include the name of the candidate who authorized the com-
 10 mittee under paragraph (1).

11 “(B) A political committee that is not an authorized
 12 committee shall not include the name of any candidate in
 13 its name or use the name of any candidate in any activity
 14 on behalf of such committee in such a context as to sug-
 15 gest that the committee is an authorized committee of the
 16 candidate or that the use of the candidate’s name has been
 17 authorized by the candidate.”.

18 **SEC. 602. REPORTING REQUIREMENTS.**

19 (a) OPTION TO FILE MONTHLY REPORTS—Section
 20 304(a)(2) of FECA (2 U.S.C. 434(a)(2)) is amended—

21 (1) in subparagraph (A) by striking “and” at
 22 the end;

23 (2) in subparagraph (B) by striking the period
 24 at the end and inserting “; and”; and

1 (3) by inserting the following new subparagraph
2 at the end:

3 “(C) in lieu of the reports required by subpara-
4 graphs (A) and (B), the treasurer may file monthly
5 reports in all calendar years, which shall be filed no
6 later than the 15th day after the last day of the
7 month and shall be complete as of the last day of
8 the month, except that, in lieu of filing the reports
9 otherwise due in November and December of any
10 year in which a regularly scheduled general election
11 is held, a pre-primary election report and a pre-gen-
12 eral election report shall be filed in accordance with
13 subparagraph (A)(i), a post-general election report
14 shall be filed in accordance with subparagraph
15 (A)(ii), and a year end report shall be filed no later
16 than January 31 of the following calendar year.”.

17 (b) FILING DATE.—Section 304(a)(4)(B) of FECA
18 (2 U.S.C. 434(a)(4)(B)) is amended by striking “20th”
19 and inserting “15th”.

20 **SEC. 603. PROVISIONS RELATING TO THE GENERAL COUN-**
21 **SEL OF THE COMMISSION.**

22 (a) VACANCY IN THE OFFICE OF GENERAL COUN-
23 SEL.—Section 306(f) of FECA (2 U.S.C. 437c(f)) is
24 amended by adding at the end the following new para-
25 graph:

1 “(5) In the event of a vacancy in the office of general
2 counsel, the next highest ranking enforcement official in
3 the general counsel’s office shall serve as acting general
4 counsel with full powers of the general counsel until a suc-
5 cessor is appointed.”.

6 (b) PAY OF THE GENERAL COUNSEL.—Section
7 306(f)(1) of FECA (2 U.S.C. 437c(f)(1)) is amended—

8 (1) by inserting “and the general counsel” after
9 “staff director” in the second sentence; and

10 (2) by striking the third sentence.

11 **SEC. 604. ENFORCEMENT.**

12 (a) BASIS FOR ENFORCEMENT PROCEEDING.—Sec-
13 tion 309(a)(2) of FECA (2 U.S.C. 437g(a)(2)) is amended
14 by striking “it has reason to believe that a person has
15 committed, or is about to commit” and inserting “facts
16 have been alleged or ascertained that, if true, give reason
17 to believe that a person may have committed, or may be
18 about to commit”.

19 (b) AUTHORITY TO SEEK INJUNCTION.—(1) Section
20 309(a) of FECA (2 U.S.C. 437g(a)) is amended by adding
21 at the end the following new paragraph:

22 “(13)(A) If, at any time in a proceeding described
23 in paragraph (1), (2), (3), or (4), the Commission believes
24 that—

1 “(i) there is a substantial likelihood that a vio-
2 lation of this Act or of chapter 95 or chapter 96 of
3 the Internal Revenue Code of 1986 is occurring or
4 is about to occur;

5 “(ii) the failure to act expeditiously will result
6 in irreparable harm to a party affected by the poten-
7 tial violation;

8 “(iii) expeditious action will not cause undue
9 harm or prejudice to the interests of others; and

10 “(iv) the public interest would be best served by
11 the issuance of an injunction,

12 the Commission may initiate a civil action for a temporary
13 restraining order or a temporary injunction pending the
14 outcome of the proceedings described in paragraphs (1),
15 (2), (3), and (4).

16 “(B) An action under subparagraph (A) shall be
17 brought in the United States district court for the district
18 in which the defendant resides, transacts business, or may
19 be found.”.

20 (2) Section 309(a) of FECA (2 U.S.C. 437g(a)) is
21 amended—

22 (A) in paragraph (7) by striking “(5) or (6)”
23 and inserting “(5), (6), or (13)”; and

24 (B) in paragraph (11) by striking “(6)” and in-
25 serting “(6) or (13)”.

1 **SEC. 605. PENALTIES.**

2 (a) PENALTIES PRESCRIBED IN CONCILIATION
3 AGREEMENTS.—(1) Section 309(a)(5)(A) of FECA (2
4 U.S.C. 437g(a)(5)(A)) is amended by striking “which does
5 not exceed the greater of \$5,000 or an amount equal to
6 any contribution or expenditure involved in such violation”
7 and inserting “which is—

8 “(i) not less than 50 percent of all contribu-
9 tions and expenditures involved in the violation (or
10 such lesser amount as the Commission provides if
11 necessary to ensure that the penalty is not unjustly
12 disproportionate to the violation); and

13 “(ii) not greater than all contributions and ex-
14 penditures involved in the violation”.

15 (2) Section 309(a)(5)(B) of FECA (2 U.S.C.
16 437g(a)(5)(B)) is amended by striking “which does not
17 exceed the greater of \$10,000 or an amount equal to 200
18 percent of any contribution or expenditure involved in such
19 violation” and inserting “which is—

20 “(i) not less than all contributions and expendi-
21 tures involved in the violation; and

22 “(ii) not greater than 150 percent of all con-
23 tributions and expenditures involved in the viola-
24 tion”.

25 (b) PENALTIES WHEN VIOLATIONS ARE ADJU-
26 DICATED IN COURT.—(1) Section 309(a)(6)(A) of FECA

1 (2 U.S.C. 437g(a)(6)(A)) is amended by striking all that
2 follows “appropriate order” and inserting “, including an
3 order for a civil penalty in the amount determined under
4 subparagraph (A) or (B) in the district court of the Unit-
5 ed States for the district in which the defendant resides,
6 transacts business, or may be found.”.

7 (2) Section 309(a)(6)(B) of FECA (2 U.S.C.
8 437g(a)(6)(B)) is amended by striking all that follows
9 “other order” and inserting “, including an order for a
10 civil penalty which is—

11 “(i) not less than all contributions and expendi-
12 tures involved in the violation; and

13 “(ii) not greater than 200 percent of all con-
14 tributions and expenditures involved in the violation,
15 upon a proper showing that the person involved has com-
16 mitted, or is about to commit (if the relief sought is a
17 permanent or temporary injunction or a restraining
18 order), a violation of this Act or chapter 95 or chapter
19 96 of the Internal Revenue Code of 1986.”.

20 (3) Section 309(a)(6)(C) of FECA (29 U.S.C.
21 437g(6)(C)) is amended by striking “a civil penalty” and
22 all that follows and inserting “a civil penalty which is—

23 “(i) not less than 200 percent of all contribu-
24 tions and expenditures involved in the violation; and

1 “(ii) not greater than 250 percent of all con-
2 tributions and expenditures involved in the viola-
3 tion.”.

4 **SEC. 606. RANDOM AUDITS.**

5 Section 311(b) of FECA (2 U.S.C. 438(b)) is amend-
6 ed—

7 (1) by inserting “(1)” before “The Commis-
8 sion”; and

9 (2) by adding at the end the following new
10 paragraph:

11 “(2) Notwithstanding paragraph (1), the Commission
12 may from time to time conduct random audits and inves-
13 tigations to ensure voluntary compliance with this Act.
14 The subjects of such audits and investigations shall be se-
15 lected on the basis of criteria established by vote of at
16 least 4 members of the Commission to ensure impartiality
17 in the selection process. This paragraph does not apply
18 to an authorized committee of an eligible Senate candidate
19 subject to audit under section 505(a) or an authorized
20 committee of an eligible House of Representatives can-
21 didate subject to audit under section 605(a).”.

22 **SEC. 607. PROHIBITION OF FALSE REPRESENTATION TO**
23 **SOLICIT CONTRIBUTIONS.**

24 Section 322 of FECA (2 U.S.C. 441h) is amended—

1 (1) by inserting after “SEC. 322.” the follow-
 2 ing: “(a)”; and

3 (2) by adding at the end the following:

4 “(b) No person shall solicit contributions by falsely
 5 representing himself as a candidate or as a representative
 6 of a candidate, a political committee, or a political party.”.

7 **SEC. 608. REGULATIONS RELATING TO USE OF NON-FED-**
 8 **ERAL MONEY.**

9 Section 306 of FECA (2 U.S.C. 437c) is amended
 10 by adding at the end the following new subsection:

11 “(g) The Commission shall promulgate rules to pro-
 12 hibit devices or arrangements which have the purpose or
 13 effect of undermining or evading the provisions of this Act
 14 restricting the use of non-Federal money to affect Federal
 15 elections.”.

16 **TITLE VII—BALLOT INITIATIVE**
 17 **COMMITTEES**

18 **SEC. 701. DEFINITIONS RELATING TO BALLOT INITIATIVES.**

19 Section 301 of FECA (2 U.S.C. 431), as amended
 20 by section 312(d), is amended by adding at the end the
 21 following new paragraphs:

22 “(32) The term ‘ballot initiative political committee’
 23 means any committee, club, association, or other group of
 24 persons which makes ballot initiative expenditures or re-

1 ceives ballot initiative contributions in excess of \$1,000
2 during a calendar year.

3 “(33) The term ‘ballot initiative contribution’ means
4 any gift, subscription, loan, advance, or deposit of money
5 or anything of value made by any person for the purpose
6 of influencing the outcome of any referendum or other bal-
7 lot initiative voted on at the State, commonwealth, terri-
8 tory, or District of Columbia level which involves—

9 “(A) interstate commerce;

10 “(B) the election of candidates for Federal of-
11 fice and the permissible terms of those so elected;

12 “(C) Federal taxation of individuals, corpora-
13 tions, or other entities; or

14 “(D) the regulation of speech or press, or any
15 other right guaranteed under the United States Con-
16 stitution.

17 “(34) The term ‘ballot initiative expenditure’ means
18 any purchase, payment, distribution, loan, advance, de-
19 posit or gift of money or anything of value made by any
20 person for the purpose of influencing the outcome of any
21 referendum or other ballot initiative voted on at the state,
22 commonwealth, territory, or District of Columbia level
23 which involves—

24 “(A) interstate commerce;

1 “(B) the election of candidates for Federal of-
2 fice and the permissible terms of those so elected;

3 “(C) Federal taxation of individuals, corpora-
4 tions, or other entities; or

5 “(D) the regulation of speech or press, or any
6 other right guaranteed under the United States
7 Constitution.”.

8 **SEC. 702. AMENDMENT TO DEFINITION OF CONTRIBUTION.**

9 Section 301(8)(B) of FECA (2 U.S.C. 431(8)(B)),
10 as amended by section 404, is amended—

11 (1) in clause (xiv), by striking “and” after the
12 semicolon;

13 (2) in clause (xv), by striking the period and in-
14 serting “; and”; and

15 (3) by adding at the end the following new
16 clause:

17 “(xvi) a ballot initiative contribution.”.

18 **SEC. 703. AMENDMENT TO DEFINITION OF EXPENDITURE.**

19 Section 301(9)(B) of FECA (2 U.S.C. 431(9)(B)) is
20 amended—

21 (1) in clause (ix)(3), by striking “and” after the
22 semicolon;

23 (2) in clause (x), by striking the period and in-
24 serting “; and”; and

1 (3) by adding at the end the following new
2 clause:

3 “(xi) a ballot initiative expenditure.”.

4 **SEC. 704. ORGANIZATION OF BALLOT INITIATIVE COMMIT-**
5 **TEES.**

6 Title III of FECA (2 U.S.C. 431 et seq.) is amended
7 by inserting after section 302 (2 U.S.C. 432) the following
8 new section:

9 “ORGANIZATION OF BALLOT INITIATIVE COMMITTEES

10 “SEC. 302A. (a) Every ballot initiative political com-
11 mittee shall have a treasurer. No ballot initiative contribu-
12 tion shall be accepted or ballot initiative expenditure shall
13 be made by or on behalf of a ballot initiative political com-
14 mittee during any period in which the office of treasurer
15 is vacant.

16 “(b)(1) Every person who receives a ballot initiative
17 contribution for a ballot initiative political committee
18 shall—

19 “(A) if the amount is \$50 or less, forward to
20 the treasurer such contribution no later than 30
21 days after receiving the contribution; and

22 “(B) if the amount of the ballot initiative con-
23 tribution is in excess of \$50, forward to the treas-
24 urer such contribution, the name, address, and occu-
25 pation of the person making such contribution, and

1 the date of receiving such contribution, no later than
2 10 days after receiving such contribution.

3 “(2) All funds of a ballot initiative political committee
4 shall be segregated from, and may not be commingled
5 with, the personal funds of any individual.

6 “(3) The treasurer of a ballot initiative political com-
7 mittee shall keep an account for—

8 “(A) all ballot initiative contributions received
9 by or on behalf of such ballot initiative political
10 committee;

11 “(B) the name and address of any person who
12 makes a ballot initiative contribution in excess of
13 \$50, together with the date and amount of such bal-
14 lot initiative contribution by any person;

15 “(C) the identification of any person who makes
16 a ballot initiative contribution or ballot initiative
17 contributions aggregating more than \$200 during a
18 calendar year, together with the date and amount of
19 any such contribution;

20 “(D) the identification of any political commit-
21 tee or ballot initiative political committee which
22 makes a ballot initiative contribution, together with
23 the date and amount of any such contribution; and

24 “(E) the name and address of every person to
25 whom any ballot initiative expenditure is made, the

1 date, amount and purpose of such ballot initiative
 2 expenditure, and the name of the ballot initiative(s)
 3 to which the ballot initiative expenditure pertained.

4 “(c) The treasurer shall preserve all records required
 5 to be kept by this section 3 years after the report is filed.”.

6 **SEC. 705. BALLOT INITIATIVE COMMITTEE REPORTING RE-**
 7 **QUIREMENTS.**

8 Title III of FECA (2 U.S.C. 431 et seq.), as amended
 9 by section 103, is amended by inserting after section 30A
 10 (2 U.S.C. 434) the following new section:

11 “BALLOT INITIATIVE COMMITTEE REPORTING
 12 REQUIREMENTS

13 “SEC. 304B. (a)(1) Each treasurer of a ballot initia-
 14 tive political committee shall file reports of receipts and
 15 disbursements in accordance with the provisions of this
 16 subsection. The treasurer shall sign each such report.

17 “(2) All ballot initiative political committees shall file
 18 either—

19 “(A)(i) quarterly reports in each calendar year
 20 when a ballot initiative is slated regarding which the
 21 ballot initiative committee plans to make or makes
 22 a ballot initiative expenditure or plans to receive or
 23 receives a ballot initiative contribution, which shall
 24 be filed no later than the 15th day after the last day
 25 of each calendar quarter: except that the report for
 26 the quarter ending on December 31 of such calendar

1 year shall be filed no later than January 31 of the
2 following calendar year; and

3 “(ii) preballot initiative reports, which shall be
4 filed 5 days before the occurrence of each ballot ini-
5 tiative in which the ballot initiative committee plans
6 to make or has made a ballot initiative expenditure
7 or plans to receive or has received a ballot initiative
8 contribution; or

9 “(B) monthly reports in all calendar years
10 which shall be filed no later than the 15th day after
11 the last day of the month and shall be complete as
12 of the last day of the month.

13 “(3) If a designation, report, or statement filed pur-
14 suant to this section (other than under paragraph
15 (2)(A)(ii)) is sent by registered or certified mail, the Unit-
16 ed States postmark shall be considered the date of filing
17 of the designation, report, or statement.

18 “(4) The reports required to be filed by this section
19 shall be cumulative during the calendar year to which they
20 relate, but where there has been no change in an item
21 reported in a previous report during each year, only the
22 amount need be carried forward.

23 “(b) Each report under this section shall disclose—

24 “(1) the amount of cash on hand at the begin-
25 ning of the reporting period;

1 “(2) for the reporting period and the calendar
2 year, the total amount of all receipts, and the total
3 amount of all receipts in the following categories:

4 “(A) ballot initiative contributions from
5 persons other than political committees;

6 “(B) ballot initiative contributions from
7 political party committees;

8 “(C) ballot initiative contributions from
9 other political committees and ballot initiative
10 political committees;

11 “(D) transfers from affiliated political
12 committees;

13 “(E) loans;

14 “(F) rebates, refunds, and other offsets to
15 operating expenditures; and

16 “(G) dividends, interest, and other forms
17 of receipts;

18 “(3) the identification of each—

19 “(A) person (other than a political commit-
20 tee or ballot initiative political committee) who
21 makes a ballot initiative contribution to the re-
22 porting committee during the reporting period,
23 whose ballot initiative contribution or ballot ini-
24 tiative contributions have an aggregate amount
25 or value in excess of \$50 within the calendar

1 year, or in any lesser amount if the reporting
2 committee should so elect, together with the
3 date and amount of any such contribution and
4 the address and occupation (if an individual) of
5 the person;

6 “(B) political committee or ballot initiative
7 political committee which makes a ballot initia-
8 tive contribution to the reporting committee
9 during the reporting period, together with the
10 date and amount of any such contribution;

11 “(C) affiliated political committee or affili-
12 ated ballot initiative political committee which
13 makes a transfer to the reporting committee
14 during the reporting period;

15 “(D) person who makes a loan to the re-
16 porting committee during the reporting period,
17 together with the identification of any endorser
18 or guarantor of such loan, and the date and
19 amount or value of such loan and the address
20 and occupation (if an individual) of the person;

21 “(E) person who provides a rebate, refund,
22 or other offset to operating expenditures to the
23 reporting committee in an aggregate amount or
24 value in excess of \$200 within the calendar
25 year, together with the date and amount of

1 such receipt and the address and occupation (if
2 an individual) of the person; and

3 “(F) person who provides any dividend, in-
4 terest, or other receipt to the reporting commit-
5 tee in an aggregate value or amount in excess
6 of \$200 within the calendar year, together with
7 the date and amount of any such receipt and
8 the address and occupation (if an individual) of
9 the person;

10 “(4) for the reporting period and the calendar
11 year, the total amount of disbursements, and all dis-
12 bursements in the following categories:

13 “(A) ballot initiative expenditures;

14 “(B) transfers to affiliated political com-
15 mittees or ballot initiative political committees;

16 “(C) ballot initiative contribution refunds
17 and other offsets to ballot initiative contribu-
18 tions;

19 “(D) loans made by the reporting commit-
20 tee and the name of the person receiving the
21 loan together with the date of the loan and the
22 address and occupation (if an individual) of the
23 person; and

24 “(E) independent expenditures; and

5 Section 309 of FECA (2 U.S.C. 437g) is amended
6 by adding at the end the following new subsection:

14 **SEC. 707. PROHIBITION OF CONTRIBUTIONS IN THE NAME**
15 **OF ANOTHER.**

18 “PROHIBITION OF CONTRIBUTIONS IN THE NAME OF
19 ANOTHER

•S 3 IS

1 **SEC. 708. LIMITATION ON CONTRIBUTION OF CURRENCY.**

2 Section 321 of FECA (2 U.S.C. 441g) is amended
3 to read as follows:

4 “LIMITATION ON CONTRIBUTION OF CURRENCY

5 “SEC. 321. No person shall make contributions or
6 ballot initiative contributions of currency of the United
7 States or currency of any foreign country which in the
8 aggregate, exceed \$100, to or for the benefit of—

9 “(1) any candidate for nomination for election,
10 or for election, to Federal office;

11 “(2) any political committee (other than a bal-
12 lot initiative political committee) for the purpose of
13 influencing an election for Federal office; or

14 “(3) any ballot initiative political committee for
15 the purpose of influencing a ballot initiative.”.

16 **TITLE VIII—MISCELLANEOUS**

17 **SEC. 801. PROHIBITION OF LEADERSHIP COMMITTEES.**

18 Section 302(e) of FECA (2 U.S.C. 432(e)) is amend-
19 ed—

20 (1) by amending paragraph (3) to read as
21 follows:

22 “(3) No political committee that supports or has sup-
23 ported more than one candidate may be designated as an
24 authorized committee, except that—

25 “(A) a candidate for the office of President
26 nominated by a political party may designate the na-

1 tional committee of such political party as the can-
2 didate's principal campaign committee, but only if
3 that national committee maintains separate books of
4 account with respect to its functions as a principal
5 campaign committee; and

6 “(B) a candidate may designate a political com-
7 mittee established solely for the purpose of joint
8 fundraising by such candidates as an authorized
9 committee.”; and

10 (2) by adding at the end the following new
11 paragraph:

12 “(6)(A) A candidate for Federal office or any individ-
13 ual holding Federal office may not establish, maintain, or
14 control any political committee other than a principal cam-
15 paign committee of the candidate, authorized committee,
16 party committee, or other political committee designated
17 in accordance with paragraph (3). A candidate for more
18 than one Federal office may designate a separate principal
19 campaign committee for each Federal office.

20 “(B) For one year after the effective date of this
21 paragraph, any such political committee may continue to
22 make contributions. At the end of that period such politi-
23 cal committee shall disburse all funds by one or more of
24 the following means: making contributions to an entity
25 qualified under section 501(c)(3) of the Internal Revenue

1 Code of 1986; making a contribution to the treasury of
 2 the United States; contributing to the national, State or
 3 local committees of a political party; or making contribu-
 4 tions not to exceed \$1,000 to candidates for elective
 5 office.”.

6 **SEC. 802. POLLING DATA CONTRIBUTED TO CANDIDATES.**

7 Section 301(8) of FECA (2 U.S.C. 431(8)), as
 8 amended by section 314(b), is amended by inserting at
 9 the end the following new subparagraph:

10 “(D) A contribution of polling data to a can-
 11 didate shall be valued at the fair market value of the
 12 data on the date the poll was completed, depreciated
 13 at a rate not more than 1 percent per day from such
 14 date to the date on which the contribution was
 15 made.”.

16 **SEC. 803. DEBATES BY GENERAL ELECTION CANDIDATES**
 17 **WHO RECEIVE AMOUNTS FROM THE PRESI-**
 18 **DENTIAL ELECTION CAMPAIGN FUND.**

19 Section 315(b) of FECA (2 U.S.C. 441a(b)) is
 20 amended by adding at the end the following new para-
 21 graph:

22 “(3)(A) The candidates of a political party for
 23 the offices of President and Vice President who are
 24 eligible under section 9003 of the Internal Revenue
 25 Code of 1986 to receive payments from the Sec-

1 retary of the Treasury shall not receive such pay-
2 ments unless both of such candidates agree in writ-
3 ing—

4 “(i) that the candidate for the office of
5 President will participate in at least 4 debates,
6 sponsored by a nonpartisan or bipartisan orga-
7 nization, with all other candidates for that of-
8 fice who are eligible under that section; and

9 “(ii) that the candidate of the party for the
10 office of Vice President will participate in at
11 least 1 debate, sponsored by a nonpartisan or
12 bipartisan organization, with all other can-
13 didates for that office who are eligible under
14 that section.

15 “(B) If the Commission determines that either
16 of the candidates of a political party failed to par-
17 ticipate in a debate under subparagraph (A) and
18 was responsible at least in part for such failure, the
19 candidate of the party involved shall—

20 “(i) be ineligible to receive payments under
21 section 9006 of the Internal Revenue Code of
22 1986; and

23 “(ii) pay to the Secretary of the Treasury
24 an amount equal to the amount of the pay-

1 ments made to the candidate under that
2 section.”.

3 **SEC. 804. PROHIBITION OF CERTAIN ELECTION-RELATED**
4 **ACTIVITIES OF FOREIGN NATIONALS.**

5 Section 319 of FECA (2 U.S.C. 441e) is amended by
6 adding at the end the following new subsections:

7 “(c) A foreign national shall not directly or indirectly
8 direct, control, influence or participate in any person’s
9 election-related activities, such as the making of contribu-
10 tions or expenditures in connection with elections for any
11 local, State, or Federal office or the administration of a
12 political committee.

13 “(d) A nonconnected political committee or the sepa-
14 rate segregated fund established in accordance with sec-
15 tion 316(b)(2)(C) or any other organization or committee
16 involved in the making of contributions or expenditures
17 in connection with elections for any Federal, State, or
18 local office shall include the following statement on all
19 printed materials produced for the purpose of soliciting
20 contributions:

21 “‘It is unlawful for a foreign national to make
22 any contribution of money or other thing of value to
23 a political committee.’”.

1 **SEC. 805. AMENDMENT TO FECA SECTION 316.**

2 Section 316(b) of FECA (2 U.S.C. 441b(b)) is
3 amended—

4 (1) by inserting “(A)” at the beginning of para-
5 graph (2) and redesignating subparagraphs (A), (B),
6 and (C) as clauses (i), (ii), and (iii), respectively;

7 (2) at the beginning of the first sentence in
8 subparagraph (A), by inserting the following: “Ex-
9 cept as provided in subparagraph (B),”; and

10 (3) by adding at the end of paragraph (2) the
11 following:

12 “(B) Expenditures by a corporation or
13 labor organization for candidate appearances,
14 candidate debates and voter guides directed to
15 the general public shall be considered contribu-
16 tions unless—

17 “(i) in the case of a candidate appear-
18 ance, the appearance takes place on cor-
19 porate or labor organization premises or at
20 a meeting or convention of the corporation
21 or labor organization, and all candidates
22 for election to that office are notified that
23 they may make an appearance under the
24 same or similar conditions;

25 “(ii) in the case of a candidate debate,
26 the organization staging the debate is ei-

1 ther an organization described in section
2 301 whose broadcasts or publications are
3 supported by commercial advertising, sub-
4 scriptions or sales to the public, including
5 a noncommercial educational broadcaster,
6 or a nonprofit organization exempt from
7 Federal taxation under section 501(c)(3)
8 or 501(c)(4) of the Internal Revenue Code
9 of 1986 that does not endorse, support, op-
10 pose candidates or political parties; and

11 “(iii) in the case of a voter guide, the
12 guide is prepared and distributed by a cor-
13 poration or labor organization and consists
14 of questions posed to at least two can-
15 didates for election to that office,

16 except that no communication made by a cor-
17 poration or labor organization in connection
18 with the candidate appearance, candidate de-
19 bate or voter guide contains express advocacy,
20 or that no candidate is favored through the
21 structure or format of the candidate appear-
22 ance, candidate debate or voter guide.”.

1 **SEC. 806. TELEPHONE VOTING BY PERSONS WITH DISABIL-**
2 **ITIES.**

3 (a) STUDY OF SYSTEMS TO PERMIT PERSONS WITH
4 DISABILITIES TO VOTE BY TELEPHONE.—

5 (1) IN GENERAL.—The Federal Election Com-
6 mission shall conduct a study to determine the fea-
7 sibility of developing a system or systems by which
8 persons with disabilities may be permitted to vote by
9 telephone.

10 (2) CONSULTATION.—The Federal Election
11 Commission shall conduct the study described in
12 paragraph (1) in consultation with State and local
13 election officials, representatives of the telecommuni-
14 cations industry, representatives of persons with dis-
15 abilities, and other concerned members of the public.

16 (3) CRITERIA.—The system or systems devel-
17 oped pursuant to paragraph (1) shall—

18 (A) propose a description of the kinds of
19 disabilities that impose such difficulty in travel
20 to polling places that a person with a disability
21 who may desire to vote is discouraged from un-
22 dertaking such travel;

23 (B) propose procedures to identify persons
24 who are so disabled; and

25 (C) describe procedures and equipment
26 that may be used to ensure that—

1 (i) only those persons who are entitled
2 to use the system are permitted to use it;

3 (ii) the votes of persons who use the
4 system are recorded accurately and remain
5 secret;

6 (iii) the system minimizes the possibil-
7 ity of vote fraud; and

8 (iv) the system minimizes the finan-
9 cial costs that State and local governments
10 would incur in establishing and operating
11 the system.

12 (4) REQUESTS FOR PROPOSALS.—In developing
13 a system described in paragraph (1), the Federal
14 Election Commission may request proposals from
15 private contractors for the design of procedures and
16 equipment to be used in the system.

17 (5) PHYSICAL ACCESS.—Nothing in this section
18 is intended to supersede or supplant efforts by State
19 and local governments to make polling places phys-
20 ically accessible to persons with disabilities.

21 (6) DEADLINE.—The Federal Election Commis-
22 sion shall submit to Congress the study required by
23 this section not later than 1 year after the date of
24 enactment of this Act.

1 **SEC. 807. PROHIBITION OF USE OF GOVERNMENT AIR-**
2 **CRAFT IN CONNECTION WITH ELECTIONS**
3 **FOR FEDERAL OFFICE.**

4 Title III of FECA (2 U.S.C. 431 et seq.), as amended
5 by section 312(c) is amended by adding at the end the
6 following new section:

7 “PROHIBITION OF USE OF GOVERNMENT AIRCRAFT IN
8 CONNECTION WITH ELECTIONS FOR FEDERAL OFFICE

9 “SEC. 325. (a) No aircraft that is owned or operated
10 by the Government (including any aircraft that is owned
11 or operated by the Department of Defense) may be used
12 in connection with an election for Federal office.

13 “(b)(1) Subsection (a) shall not apply to travel pro-
14 vided to the President or Vice President.

15 “(2) The portion of the cost of any travel provided
16 to the President or Vice President that is allocable to ac-
17 tivities in connection with an election for Federal office
18 shall be paid by the authorized committee of the Presi-
19 dent. Such portion shall be paid within 10 days of the
20 travel. For purposes of this section, travel which is in any
21 part related to campaign activity, shall be treated as in
22 connection with an election for Federal office, and the pay-
23 ment for such travel shall be sufficient to reflect that por-
24 tion which is campaign-related.

1 “(3) The actual costs and payment for costs of any
 2 travel provided to the President and Vice President shall
 3 be disclosed in accordance with section 304.”.

4 **SEC. 808. SENSE OF THE CONGRESS.**

5 The Congress should consider legislation that would
 6 provide for an amendment to the Constitution to set rea-
 7 sonable limits on campaign expenditures in Federal elec-
 8 tions.

9 **TITLE IX—EFFECTIVE DATES;**
 10 **AUTHORIZATIONS**

11 **SEC. 901. EFFECTIVE DATE.**

12 Except as otherwise provided in this Act, the amend-
 13 ments made by, and the provisions of, this Act shall take
 14 effect on the date of the enactment of this Act but shall
 15 not apply with respect to activities in connection with any
 16 election occurring before January 1, 1995.

17 **SEC. 902. BUDGET NEUTRALITY.**

18 (a) DELAYED EFFECTIVENESS.—The provisions of
 19 this Act (other than this section) shall not be effective
 20 until the estimated costs under section 252 of the Bal-
 21 anced Budget and Emergency Deficit Control Act of 1985
 22 have been offset by the enactment of subsequent legisla-
 23 tion effectuating this Act.

24 (b) SENSE OF CONGRESS.—It is the sense of the
 25 Congress that subsequent legislation effectuating this Act

1 shall not provide for general revenue increases, reduce ex-
 2 penditures for any existing Federal program, or increase
 3 the Federal budget deficit.

4 **SEC. 903. SEVERABILITY.**

5 Except as provided in sections 101(c) and 121(b), if
 6 any provision of this Act (including any amendment made
 7 by this Act), or the application of any such provision to
 8 any person or circumstance, is held invalid, the validity
 9 of any other provision of this Act, or the application of
 10 such provision to other persons and circumstances, shall
 11 not be affected thereby.

12 **SEC. 904. EXPEDITED REVIEW OF CONSTITUTIONAL ISSUES.**

13 (a) DIRECT APPEAL TO SUPREME COURT.—An ap-
 14 peal may be taken directly to the Supreme Court of the
 15 United States from any interlocutory order or final judg-
 16 ment, decree, or order issued by any court ruling on the
 17 constitutionality of any provision of this Act or amend-
 18 ment made by this Act.

19 (b) ACCEPTANCE AND EXPEDITION.—The Supreme
 20 Court shall, if it has not previously ruled on the question
 21 addressed in the ruling below, accept jurisdiction over, ad-
 22 vance on the docket, and expedite the appeal to the great-
 23 est extent possible.

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